

HOUSE JOURNAL

PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

REGULAR 2013 SESSION

JANUARY 14, 2013 THROUGH ADJOURNMENT JUNE 20, 2013

AND

2013 SPECIAL SESSION

SEPTEMBER 3, 2013 THROUGH SEPTEMBER 4, 2013

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

DIVISION OF PRINTING
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TOPEKA, KANSAS
2013

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Governor
SAM BROWNBACK, Topeka

Lieutenant Governor
JEFF COLYER, Overland Park

OFFICERS OF THE HOUSE

Session of 2013

Ray Merrick.....	Speaker
Peggy Mast	Speaker Pro Tem
Jene Vickrey	Majority Leader
Paul Davis	Minority Leader
Susan Kannarr	Chief Clerk
Wayne Owen*.....	Sergeant-at-Arms

* Mike Lietz became interim Sgt.-at-Arms after the death of Wayne Owen in February 2013.

HOUSE OF REPRESENTATIVES—2013
MEMBERS LISTED ALPHABETICALLY

<i>Name</i>	<i>Party</i>	<i>Dist.</i>	<i>Occupation</i>
Alcala, John , Shawnee	Dem.	57	Production Sch./Buyer
Alford, Steve , Grant	Rep.	124	Farmer
Ballard, Barbara , Douglas	Dem.	44	University Administrator
Barker, John , Reno	Rep.	70	Retired Judge
Becker, Steven , Reno	Rep.	104	Retired District Court Judge
Bideau, Ed , Neosho	Rep.	9	Attorney
Boldra, Sue , Ellis	Rep.	111	Educator
Bollier, Barbara , Johnson	Rep.	21	Retired Physician
Bradford, John , Leavenworth	Rep.	40	Consultant
Bridges, Carolyn , Sedgwick	Dem.	83	School administration, Rental properties
Bruchman, Rob , Johnson	Rep.	20	Attorney
Brunk, Steve , Sedgwick	Rep.	85	Real Estate and Business Broker
Burroughs, Tom , Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Campbell, Larry , Johnson	Rep.	26	Banking/Professor
Carlin, Sydney , Riley	Dem.	66	Investments, Property Manager
Carlson, Richard , Pottawatomie	Rep.	61	Business and Investments
Carpenter, Will , Butler	Rep.	75	Business Owner
Cassidy, Ward , Cheyenne	Rep.	120	Educator
Christmann, Marshall , Rice	Rep.	113	Municipal Judge (Ret.), Chief Labor Negotiator
Claeys, J. R. , Saline	Rep.	69	Nonprofit Management
Clayton, Stephanie , Johnson	Rep.	19	Social Media Consultant
Concannon, Susan , Mitchell	Rep.	107	Executive Director-Medical Foundation
Corbet, Ken , Shawnee	Rep.	54	Business Owner
Couture-Lovelady, Travis , Rooks	Rep.	110	Agriculture/Agritourism
Crum, Dave , Butler	Rep.	77	Retired Optometrist
Davis, Paul , Douglas	Dem.	46	Attorney
DeGraaf, Pete , Sumner	Rep.	82	Fin. Counseling, Ministry Director
Dierks, Diana , Saline	Rep.	71	Realtor
Dillmore, Nile , Sedgwick	Dem.	92	Development Specialist
Doll, John , Finney	Rep.	123	Self-employed
Dove, Willie , Wyandotte	Rep.	38	Insurance Sales
Edmonds, John , Barton	Rep.	112	Certified Public Accountant
Edwards, Joe , Sedgwick	Rep.	93	Pastor/evangelist
Esau, Keith , Johnson	Rep.	14	Software Engineer
Ewy, John , Hodgeman	Rep.	117	Community College Professor
Finch, Blaine , Franklin	Rep.	59	Attorney
Finney, Gail , Sedgwick	Dem.	84	Small Business Owner
Frownfelter, Stan , Wyandotte	Dem.	37	Sales
Gandhi, Shanti , Shawnee	Rep.	52	Retired Physician
Garber, Randy , Nemaha	Rep.	62	Ret. Navy/Construction Worker
Goico, Mario , Sedgwick	Rep.	94	Financial Advisor
Gonzalez, Ramon , Jefferson	Rep.	47	Police Chief

Grant, Bob , Crawford	Dem.	2	Catering Business
Grosserode, Amanda , Johnson	Rep.	16	
Hawkins, Daniel , Sedgwick	Rep.	100	Insurance Agent
Hedke, Dennis , Sedgwick	Rep.	99	Consulting Geophysicist
Henderson, Broderick , Wyandotte	Dem.	35	Parking Controller Office
Henry, Jerry , Atchison	Dem.	63	Executive Director- Achievement Services
Hermanson, Phil , Sedgwick	Rep.	98	Realtor/Property Management
Hibbard, Larry , Woodson	Rep.	13	Rancher
Highland, Ron , Pottawatomie	Rep.	51	Retired Veterinarian
Hildabrand, Brett , Johnson	Rep.	17	Website Design
Hill, Don , Lyon	Rep.	60	Pharmacist
Hineman, Don , Lane	Rep.	118	Farmer
Hoffman, Kyle , Comanche	Rep.	116	Farmer/Rancher/Business owner
Houser, Michael , Cherokee	Rep.	1	Construction Estimator
Houston, Roderick , Sedgwick	Dem.	89	Minister
Howell, Jim , Sedgwick	Rep.	81	Flight Test Instrumentation
Huebert, Steve , Sedgwick	Rep.	90	Self-employed
Hutton, Mark , Sedgwick	Rep.	105	General Contractor
Jennings, Russell , Kearny	Rep.	122	Government Consulting
Johnson, Steven , Saline	Rep.	108	Farmer/Financial Services
Jones, Kevin , Franklin	Rep.	5	Entrepreneur
Kahrs, Mark , Sedgwick	Rep.	87	Attorney
Kelley, Kasha , Cowley	Rep.	80	Marketing
Kelly, Jim , Montgomery	Rep.	11	Banker
Kinzer, Lance , Johnson	Rep.	30	Attorney
Kleeb, Marvin , Johnson	Rep.	48	Business Owner
Kuether, Annie , Shawnee	Dem.	55	
Lane, Harold , Shawnee	Dem.	58	Retired
Lunn, Jerry , Johnson	Rep.	28	Consultant/Real Estate Investment
Lusk, Nancy , Johnson	Dem.	22	Illustrator
Macheers, Charles , Johnson	Rep.	39	Attorney
Mast, Peggy , Lyon	Rep.	76	Retired
McPherson, Craig , Johnson	Rep.	8	Attorney
Meier, Melanie , Leavenworth	Dem.	41	Defense Contractor
Meigs, Kelly , Johnson	Rep.	23	Former Educator/Homemaker
Menghini, Julie , Crawford	Dem.	3	Human Resources Director
Merrick, Ray , Johnson	Rep.	27	Property Management
Montgomery, Robert , Johnson	Rep.	15	Real Estates Services
Moxley, Tom , Morris	Rep.	68	Farmer / Rancher
O'Brien, Connie , Leavenworth	Rep.	42	Retired
Osterman, Leslie , Sedgwick	Rep.	97	Retired
Pauls, Janice , Reno	Dem.	102	Attorney
Peck, Virgil , Montgomery	Rep.	12	Insurance Agent
Perry, Emily , Johnson	Dem.	24	Attorney
Peterson, Mike , Wyandotte	Dem.	32	Attorney
Petty, Reid , Seward	Rep.	125	Teacher
Phillips, Tom , Riley	Rep.	67	Community Development Consultant

MEMBERS LISTED ALPHABETICALLY

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Powell, Josh , Shawnee	Rep.	50	Photographer
Proehl, Richard , Labette	Rep.	7	Banker
Read, Marty , Linn	Rep.	4	Auctioneer/ Realtor/Rancher
Rhoades, Marc , Harvey	Rep.	72	Small Business Owner
Rooker, Melissa , Johnson	Rep.	25	Retired film executive
Rothlisberg, Allan , Geary	Rep.	65	Retired
Rubin, John , Johnson	Rep.	18	Attorney and Arbitrator
Ruiz, Louis , Wyandotte	Dem.	31	Retired; Lucent
Ryckman Jr., Ron , Johnson	Rep.	78	Business Consultant
Ryckman Sr., Ronald , Meade	Rep.	115	Retired Teacher/Coach
Sawyer, Tom , Sedgwick	Dem.	95	Accountant
Schroeder, Don , McPherson	Rep.	74	Farm
Schwab, Scott , Johnson	Rep.	49	Capital Markets
Schwartz, Sharon , Washington	Rep.	106	Business Manager/family farm
Seiwert, Joe , Reno	Rep.	101	Agribusiness Owner
Shultz, Clark , McPherson	Rep.	73	Title Insurance Agent
Siegfried, Arlen H. , Olathe	Rep.	121	Retired
Sloan, Tom , Douglas	Rep.	45	Farmer and Consultant
Sloop, Patricia , Sedgwick	Dem.	88	Retired Clinical Social Worker
Suellentrop, Gene , Sedgwick	Rep.	91	Business Owner
Sutton, William , Johnson	Rep.	43	Steelworker
Swanson, Vern , Clay	Rep.	64	Retired Sales
Thimesch, Jack , Kingman	Rep.	114	Small Business, Concrete/Farmer
Tietze, Annie , Shawnee	Dem.	53	Teacher
Todd, James , Johnson	Rep.	29	Attorney at Law
Trimmer, Ed , Cowley	Dem.	79	Retired Educator
Vickrey, Jene , Miami	Rep.	6	Floor Covering
Victors, Ponka-We , Sedgwick	Dem.	103	Community Support Worker
Ward, Jim , Sedgwick	Dem.	86	Attorney
Waymaster, Troy , Russell	Rep.	109	Finance/Farming
*Weber, Brian , Dodge City.....	Rep.	119	Business Owner
Weigel, Virgil , Shawnee	Dem.	56	Writer
Whipple, Brandon , Sedgwick	Dem.	96	Teacher
Wilson, John , Douglas	Dem.	10	Non-profit Manager
Winn, Valdenia , Wyandotte	Dem.	34	College Professor
Wolfe Moore, Kathy , Wyandotte	Dem.	36	Business Director/KU Hospital

* **Bud Estes**, sworn in June 20, 2013 to replace Brian Weber, resigned effective June 20, 2013.

**STANDING COMMITTEES OF THE HOUSE
LEGISLATIVE SESSION, 2013**

Agriculture and Natural Resources: Schwartz, Chairperson; Hoffman, Vice-chairperson; Boldra, Carpenter, Dierks, Ewy, Gonzalez, Hibbard, Johnson, Moxley, O'Brien, Read, Schroeder, Seiwert, Sloan, Thimesch, Waymaster.

Victors, Ranking Minority Member; Alcalá, Carlin, Lane, Trimmer, Wilson.

Appropriations: Rhoades, Chairperson; Suellentrop, Vice-chairperson; Carlson, Cassidy, Crum, DeGraaf, Grosserode, Hoffman, Hutton, Kahrs, Kelley, Kleeb, Lunn, Peck, Ryckman Jr., Schwartz, Weber.

Henry, Ranking Minority Member; Ballard, Carlin, Dillmore, Grant, Lane.

Calendar and Printing: Vickrey, Chairperson; Merrick, Vice-chairperson; Crum, Mast.

Ballard, Ranking Minority Member; Winn.

Children and Seniors: O'Brien, Chairperson; Meigs, Vice-chairperson; Becker, Bollier, Carpenter, Edmonds, Hawkins, Hill, Phillips, Rooker.

Wilson, Ranking Minority Member; Lusk, Winn.

Commerce, Labor and Economic Development: Kleeb, Chairperson; Suellentrop, Vice-chairperson; Brunk, Carlson, Carpenter, Claeys, Corbet, Couture-Lovelady, Houser, Hutton, Powell, Rothlisberg, Ryckman Jr..

Frownfelter, Ranking Minority Member; Ruiz, Tietze, Whipple.

Corrections and Juvenile Justice: Rubin, Chairperson; Gonzalez, Vice-chairperson; Becker, Bruchman, Campbell, Finch, Hildabrand, Montgomery, Moxley, Todd.

Finney, Ranking Minority Member; Meier, Pauls.

Education: Kelley, Chairperson; Cassidy, Vice-chairperson; Boldra, Bradford, Dierks, Dove, Ewy, Gandhi, Grosserode, Hedke, Highland, Lunn, Meigs, Rooker.

Trimmer, Ranking Minority Member; Bridges, Houston, Lusk, Winn.

Elections: Schwab, Chairperson; Huebert, Vice-chairperson; Barker, Esau, Jennings, Kinzer, O'Brien, Phillips, Schwartz, Siegfried.

Sawyer, Ranking Minority Member; Alcalá, Dillmore.

Energy and Environment: Hedke, Chairperson; Alford, Vice-chairperson; Boldra, Christmann, Garber, Hermanson, Highland, Jennings, Macheers, McPherson, Moxley, Powell, Schwab, Sutton.

Kuether, Ranking Minority Member; Finney, Menghini, Sloop, Trimmer.

Federal and State Affairs: Siegfried, Chairperson; Brunk, Vice-chairperson; Campbell, Claeys, Concannon, Corbet, Couture-Lovelady, Dove, Ewy, Gandhi, Hildabrand, Houser, Montgomery, Petty, Read, Rothlisberg, Waymaster.

Ruiz, Ranking Minority Member; Henderson, Perry, Peterson, Tietze, Victors.

Financial Institutions: DeGraaf, Chairperson; Kelly, Vice-chairperson; Campbell, Hawkins, Hermanson, Hill, Hutton, Proehl, Suellentrop, Swanson.

Frownfelter, Ranking Minority Member; Burroughs, Henderson.

Health and Human Services: Crum, Chairperson; Weber, Vice-chairperson; Alford, Bideau, Bollier, Christmann, Concannon, Edmonds, Hawkins, Hill, Jones, Kelly, Osterman.

Ward, Ranking Minority Member; Sloop, Wilson, Wolfe Moore.

Insurance: Shultz, Chairperson; Hermanson, Vice-chairperson; Bollier, DeGraaf, Doll, Hill,

Hutton, Meigs, Proehl, Suellentrop.

Finney, Ranking Minority Member; Frownfelter, Houston.

Interstate Cooperation: Merrick, Chairperson; Mast, Vice-chairperson; Crum, Vickrey, Weber, Tietze, Ranking Minority Member; Menghini.

Judiciary: Kinzer, Chairperson; Bruchman, Vice-chairperson; Alford, Barker, Becker, Bideau, Christmann, Esau, Finch, Howell, Jennings, Kahrs, McPherson, Montgomery, Osterman, Rubin, Ryckman Sr..

Pauls, Ranking Minority Member; Bridges, Kuether, Perry, Ward, Whipple.

Legislative Budget (House): Rhoades, Chairperson; Suellentrop, Vice-chairperson; Crum, Mast, Merrick, Vickrey.

Davis, Ranking Minority Member; Burroughs.

Local Government: Huebert, Chairperson; Phillips, Vice-chairperson; Barker, Clayton, Esau, Jennings, O'Brien, Schwab, Schwartz, Siegfried.

Alcala, Ranking Minority Member; Henderson, Peterson.

Pensions and Benefits: Johnson, Chairperson; Howell, Vice-chairperson; Barker, Hawkins, Jones, Kelly, Macheers, Proehl, Rubin, Todd.

Wolfe Moore, Ranking Minority Member; Alcala, Weigel.

Rules and Journal: Shultz, Chairperson; Bruchman, Couture-Lovelady, Kinzer, Rubin, Sawyer, Vice-chairperson; Pauls.

Taxation: Carlson, Chairperson; Schwab, Vice-chairperson; Brunk, Claeys, Corbet, Couture-Lovelady, Edmonds, Goico, Hedke, Hineman, Kelley, Kleeb, Lunn, Macheers, Powell, Siegfried, Todd.

Sawyer, Ranking Minority Member; Dillmore, Menghini, Sloop, Weigel, Wolfe Moore.

Transportation: Proehl, Chairperson; Ryckman Sr., Vice-chairperson; Doll, Edwards, Goico, Hermanson, Hibbard, Petty, Read, Shultz, Sloan, Swanson, Thimesch.

Perry, Ranking Minority Member; Grant, Menghini, Weigel.

Utilities and Telecommunications: Seiwert, Chairperson; Garber, Vice-chairperson; Boldra, Bruchman, Carpenter, Clayton, Doll, Finch, Gonzalez, Hermanson, Ryckman Sr., Schroeder, Schwab, Thimesch.

Kuether, Ranking Minority Member; Frownfelter, Ward, Whipple, Winn.

Veterans, Military and Homeland Security: Goico, Chairperson; Osterman, Vice-chairperson; Barker, Bradford, Dierks, Edwards, Gonzalez, Johnson, Jones, Seiwert.

Meier, Ranking Minority Member; Bridges, Weigel.

Vision 2020: Sloan, Chairperson; Swanson, Vice-chairperson; Bideau, Christmann, Edmonds, Esau, Hibbard, Hineman, Jennings, Rooker.

Houston, Ranking Minority Member; Bridges, Finney.

Budget Committees

Agriculture and Natural Resources Budget: Hoffman, Chairperson; Schroeder, Vice-chairperson; Garber, Johnson, Macheers, Seiwert, Waymaster.

Carlin, Ranking Minority Member; Victors.

Education Budget: Cassidy, Chairperson; Grosserode, Vice-chairperson; Dove, Highland,

Huebert, Jones, Rothlisberg.

Winn, Ranking Minority Member; Henry.

General Government Budget: DeGraaf, Chairperson; Howell, Vice-chairperson; Hineman, Kahrs, McPherson, Peck, Sutton.

Lane, Ranking Minority Member; Burroughs.

Social Services Budget: Weber, Chairperson; Crum, Vice-chairperson; Bradford, Concannon, Gandhi, Garber, Petty.

Ballard, Ranking Minority Member; Lusk.

Transportation and Public Safety Budget: Peck, Chairperson; Hildabrand, Vice-chairperson; Clayton, Edwards, Houser, Ryckman Jr., Sutton.

Grant, Ranking Minority Member; Meier.

JOINT COMMITTEES

Administrative Rules and Regulations: Schwartz, Chairperson; Huebert, Kahrs, Lunn, Pauls, Trimmer, Winn.

Senate members: V. Schmidt, Vice-chairperson; Faust-Goudeau, Hawk, Love, Ostmeyer.

Corrections and Juvenile Justice Oversight: Rubin, Chairperson; Ward, Ranking Minority Member; Alford, DeGraaf, Finney, Henry, Hildabrand.

Senate members: Smith, Vice-chairperson; Abrams, Faust-Goudeau, Fitzgerald, Haley, LaTurner, McGinn.

Information Technology: Esau, Chairperson; Johnson, Jones, Lane, Whipple.

Senate members: Petersen, Vice-chairperson; Francisco, Holland, Love, Melcher, Petersen.

Kansas Security: Goico, Chairperson; Bridges, Frownfelter, Mast, O'Brien.

Senate members: Emler, Vice-chairperson; Hensley, Holmes, Petersen, Pettey.

Legislative Coordinating Council: Merrick, Vice-chairperson; Davis, Mast, Vickrey.

Senate members: Wagle, Chairperson; Bruce, Hensley.

Legislative Post Audit Committee: Mast, Chairperson; Barker, Burroughs, Peck, Trimmer.

Senate members: Longbine, Vice-chairperson; Hensley, Kelly, Lynn, O'Donnell.

Special Claims Against the State: Hermanson, Vice-chairperson; Grant, Houser, Todd.

Senate members: Kerschen, Chairperson; Haley, Pyle.

State -Tribal Relations: Macheers, Vice-chairperson; Burroughs, Ewy, Kinzer, Victors.

Senate members: Ostmeyer, Chairperson; Bowers, Haley, Knox, Ostmeyer, Pettey.

State Building Construction: Brunk, Chairperson; Alford, Dillmore, Grant, Hutton.

Senate members: Wolf, Vice-chairperson; Francisco, Kelly, Knox, Powell.

**LIST OF HOUSE MEMBERS SHOWING COMMITTEE
ASSIGNMENTS, OFFICE NUMBER, TELEPHONE NUMBER,
DISTRICT, PARTY AND YEARS OF SERVICE**

Alcala, John First Session: 2013 Pensions and Benefits Elections Local Government Agriculture and Natural Resources	Office 173-S District: 57 Member Member *RM Member Member	785 296-7371 Democrat 9:00 am Mon/Wed 1:30 pm Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily	152-S 281-N 281-N 346-S
Alford, Steve First Session: 2011 Energy and Environment Health and Human Services Judiciary Corr. & Juv. Justice Oversight (Joint) State Building Construction (Joint)	Office 187-N District: 124 Vice-Chair Member Member Member Member	785 296-7656 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily On Call On Call	582-N 546-S 112-N On Call On Call
Ballard, Barbara First Session: 1993 Appropriations Social Services Budget Calendar and Printing	Office 451-S District: 44 Member *RM Member *RM Member	785 296-7697 Democrat 9:00 am Daily 3:30 pm Daily On Call	112-N 144-S On Call
Barker, John First Session: 2013 Pensions and Benefits Vets., Military & Homeland Security Elections Local Government Judiciary Legislative Post Audit Committee	Office 176-W District: 70 Member Member Member Member Member Member	785 296-7674 Republican 9:00 am Mon/Wed 9:00 am Tue/Thu 1:30 pm Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily On Call	152-S 152-S 281-N 281-N 112-N On Call
Becker, Steven First Session: 2013 Children and Seniors Corrections and Juvenile Justice Judiciary	Office 512-N District: 104 Member Member Member	785 296-7196 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	218-N 152-S 112-N
Bideau, Ed First Session: 1985-1988; 2013 Vision 2020 Health and Human Services Judiciary	Office 50-S District: 9 Member Member Member	785 296-7636 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	218-N 546-S 112-N

Boldra, Sue	Office 352-W	785 296-4683	
First Session: 2013	District: 111	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Bollier, Barbara	Office 168-W	785 296-7686	
First Session: 2010	District: 21	Republican	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Bradford, John	Office 166-W	785 296-7653	
First Session: 2013	District: 40	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	144-S
Bridges, Carolyn	Office 174-W	785 296-7646	
First Session: 2013	District: 83	Democrat	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Vision 2020	Member	9:00 am Mon/Wed	218-N
Education	Member	1:30 pm Daily	112-N
Judiciary	Member	3:30 pm Daily	112-N
Kansas Security (Joint)	Member	On Call	On Call
Bruchman, Rob	Office 352-S	785 296-7644	
First Session: 2011	District: 20	Republican	
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Vice-Chair	3:30 pm Daily	112-N
Rules and Journal	Member	On Call	On Call
Brunk, Steve	Office 149-S	785 296-7645	
First Session: 2003	District: 85	Republican	
Federal and State Affairs	Vice-Chair	9:00 am Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
State Building Construction (Joint)	Chair	On Call	On Call
Burroughs, Tom	Office 359-W	785-296-7630	
First Session: 1997	District: 33	Democrat	
General Government Budget	Member	1:30 pm Daily	218-N
Financial Institutions	Member	3:30 pm Tue/Thu	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

Campbell, Larry First Session: 1997-2004; 2013 Federal and State Affairs Corrections and Juvenile Justice Financial Institutions	Office 452-S District: 26 Member Member Member	785 296-7632 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Tue/Thu	346-S 152-S 152-S
Carlin, Sydney First Session: 2003 Appropriations Ag & Natural Resources Budget Agriculture and Natural Resources Special Claims Against the State (Joint)	Office 451-S District: 66 Member *RM Member Member Member	785 296-7649 Democrat 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	112-N 142-S 346-S On Call
Carlson, Richard First Session: 2005 Appropriations Commerce, Labor & Econ. Devel. Taxation	Office 285-N District: 61 Member Member Chair	785 296-7660 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	112-N 346-S 582-N
Carpenter, Will First Session: 2013 Children and Seniors Utilities and Telecommunications Commerce, Labor & Econ. Devel. Agriculture and Natural Resources	Office 268-W District: 75 Member Member Member Member	785 296-7673 Republican 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	218-N 582-N 346-S 346-S
Cassidy, Ward First Session: 2011 Appropriations Education Education Budget	Office 151-S District: 120 Member Vice-Chair Chair	785 296-7616 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	112-N 112-N 281-N
Christmann, Marshall First Session: 2013 Energy and Environment Vision 2020 Health and Human Services Judiciary	Office 166-W District: 113 Member Member Member Member	785 296-7640 Republican 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	582-N 218-N 546-S 112-N
Claeys, J. R. First Session: 2013 Federal and State Affairs Commerce, Labor & Econ. Devel. Taxation	Office 167-W District: 69 Member Member Member	785 296-7670 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 346-S 582-N

Clayton, Stephanie First Session: 2013 Utilities and Telecommunications Local Government Transp. & Public Safety Budget	Office 167-W District: 19 Member Member Member	785 296-7655 Republican 9:00 am Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily	582-N 281-N 142-S
Concannon, Susan First Session: 2013 Federal and State Affairs Health and Human Services Social Services Budget	Office 519-N District: 107 Member Member Member	785 296-7677 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 546-S 144-S
Corbet, Ken First Session: 2013 Federal and State Affairs Commerce, Labor & Econ. Devel. Taxation	Office 179-N District: 54 Member Member Member	785 296-7679 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 346-S 582-N
Couture-Lovelady, Travis First Session: 2013 Federal and State Affairs Commerce, Labor & Econ. Devel. Taxation Rules and Journal	Office 352-S District: 110 Member Member Member Member	785 296-4683 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	346-S 346-S 582-N On Call
Crum, Dave First Session: 2007 Appropriations Health and Human Services Social Services Budget Calendar and Printing Interstate Cooperation Legislative Budget (House)	Office 512-N District: 77 Member Chair Vice-Chair Member Member Member	785 296-6989 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call On Call On Call	112-N 546-S 144-S On Call On Call On Call
Davis, Paul First Session: 2003 Legislative Budget (House) Legislative Coordinating Council	Office 359-W District: 46 *RM Member Member	785-296-7630 Democrat On Call On Call	On Call On Call
DeGraaf, Pete First Session: 2009 Appropriations General Government Budget Financial Institutions Insurance Corr. & Juv. Justice Oversight (Joint)	Office 458-W District: 82 Member Chair Chair Member Member	785 296-7693 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Tue/Thu 3:30 pm Mon/Wed On Call	112-N 218-N 152-S 152-S On Call

Dierks, Diana	Office 519-N	785 296-7642	
First Session: 2013	District: 71	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Dillmore, Nile	Office 43-S	785 296-7698	
First Session: 2001	District: 92	Democrat	
Appropriations	Member	9:00 am Daily	112-N
Elections	Member	1:30 pm Mon/Wed	281-N
Taxation	Member	3:30 pm Daily	582-N
State Building Construction (Joint)	Member	On Call	On Call
Doll, John	Office 512-N	785 296-7380	
First Session: 2013	District: 123	Republican	
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Transportation	Member	1:30 pm Daily	582-N
Insurance	Member	3:30 pm Mon/Wed	152-S
Dove, Willie	Office 167-W	785 296-7670	
First Session: 2013	District: 38	Republican	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Education Budget	Member	3:30 pm Daily	281-N
Edmonds, John	Office 452-S	785 296-5593	
First Session: 1995-2006; 2013	District: 112	Republican	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N
Edwards, Joe	Office 166-W	785 296-7640	
First Session: 2013	District: 93	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Transp. & Public Safety Budget	Member	3:30 pm Daily	142-S
Esau, Keith	Office 165-W	785 296-7631	
First Session: 2013	District: 14	Republican	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	Member	3:30 pm Daily	112-N
Information Technology (Joint)	Chair	On Call	On Call

Ewy, John	Office 512-N	785 296-7105	
First Session: 2013	District: 117	Republican	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
State -Tribal Relations (Joint)	Member	On Call	On Call
Finch, Blaine	Office 167-W	785 296-7655	
First Session: 2013	District: 59	Republican	
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Finney, Gail	Office 561-W	785 296-7648	
First Session: 2009	District: 84	Democrat	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Corrections and Juvenile Justice	*RM Member	1:30 pm Daily	152-S
Insurance	*RM Member	3:30 pm Mon/Wed	152-S
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Frownfelter, Stan	Office 561-W	785 296-7648	
First Session: 2007	District: 37	Democrat	
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Commerce, Labor & Econ. Devel.	*RM Member	1:30 pm Daily	346-S
Financial Institutions	*RM Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Kansas Security (Joint)	Member	On Call	On Call
Gandhi, Shanti	Office 167-W	785 296-7672	
First Session: 2013	District: 52	Republican	
Federal and State Affairs	Member	9:00 am Daily	346-S
Education	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	144-S
Garber, Randy	Office 459-W	785 296-7665	
First Session: 2011	District: 62	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Utilities and Telecommunications	Vice-Chair	9:00 am Mon/Wed	582-N
Ag & Natural Resources Budget	Member	1:30 pm Daily	142-S
Social Services Budget	Member	3:30 pm Daily	144-S
Goico, Mario	Office 276-W	785 296-7663	
First Session: 2003	District: 94	Republican	
Vets., Military & Homeland Security	Chair	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	582-N
Kansas Security (Joint)	Chair	On Call	On Call

Gonzalez, Ramon	Office 512-N	785 296-7500	
First Session: 2011	District: 47	Republican	
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Corrections and Juvenile Justice	Vice-Chair	1:30 pm Daily	152-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Grant, Bob	Office 451-S	785 296-7650	
First Session: 1992-1994; 1997	District: 2	Democrat	
Appropriations	Member	9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Transp. & Public Safety Budget	*RM Member	3:30 pm Daily	142-S
Special Claims Against the State (Joint)	Member	On Call	On Call
State Building Construction (Joint)	Member	On Call	On Call
Grosserode, Amanda	Office 274-W	785 296-7659	
First Session: 2011	District: 16	Republican	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Education Budget	Vice-Chair	3:30 pm Daily	281-N
Hawkins, Daniel	Office 165-W	785 296-7631	
First Session: 2013	District: 100	Republican	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Hedke, Dennis	Office 581-W	785 296-7699	
First Session: 2011	District: 99	Republican	
Energy and Environment	Chair	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Henderson, Broderick	Office 451-S	785 296-7697	
First Session: 1995	District: 35	Democrat	
Federal and State Affairs	Member	9:00 am Daily	346-S
Local Government	Member	1:30 pm Tue/Thu	281-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Henry, Jerry	Office 47S	785 296-7688	
First Session: 1993	District: 63	Democrat	
Appropriations	*RM Member	9:00 am Daily	112-N
Education Budget	Member	3:30 pm Daily	281-N
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call

Hermanson, Phil	Office 352-S	785 296-7658	
First Session: 2009	District: 98	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Utilities and Telecommunications	Member	9:00 am Mon/Wed	582-N
Transportation	Member	1:30 pm Daily	582-N
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Vice-Chair	3:30 pm Mon/Wed	152-S
Special Claims Against the State (Joint)	Vice-Chair	On Call	On Call
Hibbard, Larry	Office 512-N	785 296-7380	
First Session: 2013	District: 13	Republican	
Vision 2020	Member	9:00 am Mon/Wed	218-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Highland, Ron	Office 559-W	785 296-7310	
First Session: 2013	District: 51	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	112-N
Education Budget	Member	3:30 pm Daily	281-N
Hildabrand, Brett	Office 274-W	785 296-7659	
First Session: 2011	District: 17	Republican	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Transp. & Public Safety Budget	Vice-Chair	3:30 pm Daily	142-S
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Hill, Don	Office 452-S	785 296-7632	
First Session: 2003	District: 60	Republican	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Health and Human Services	Member	1:30 pm Daily	546-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Hineman, Don	Office 50-S	785 296-7636	
First Session: 2009	District: 118	Republican	
Vision 2020	Member	9:00 am Mon/Wed	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	582-N
Hoffman, Kyle	Office 481-W	785 296-7643	
First Session: 2011	District: 116	Republican	
Appropriations	Member	9:00 am Daily	112-N
Ag & Natural Resources Budget	Chair	1:30 pm Daily	142-S
Agriculture and Natural Resources	Vice-Chair	3:30 pm Daily	346-S

Houser, Michael	Office 179-N	785 296-7679	
First Session: 2013	District: 1	Republican	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Labor & Econ. Devel.	Member	1:30 pm Daily	346-S
Transp. & Public Safety Budget	Member	3:30 pm Daily	142-S
Special Claims Against the State (Joint)	Member	On Call	On Call
Houston, Roderick	Office 54-S	785 296-7652	
First Session: 2013	District: 89	Democrat	
Vision 2020	*RM Member	9:00 am Mon/Wed	218-N
Education	Member	1:30 pm Daily	112-N
Insurance	Member	3:30 pm Mon/Wed	152-S
Howell, Jim	Office 459-W	785 296-7665	
First Session: 2011	District: 81	Republican	
Pensions and Benefits	Vice-Chair	9:00 am Mon/Wed	152-S
General Government Budget	Vice-Chair	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N
Huebert, Steve	Office 149-S	785 296-1754	
First Session: 2001	District: 90	Republican	
Elections	Vice-Chair	1:30 pm Mon/Wed	281-N
Local Government	Chair	1:30 pm Tue/Thu	281-N
Education Budget	Member	3:30 pm Daily	281-N
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Hutton, Mark	Office 268-W	785 296-7673	
First Session: 2013	District: 105	Republican	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor & Econ. Devel.	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
State Building Construction (Joint)	Member	On Call	On Call
Jennings, Russell	Office 512-N	785 296-7196	
First Session: 2013	District: 122	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Vision 2020	Member	9:00 am Mon/Wed	218-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	Member	3:30 pm Daily	112-N
Johnson, Steven	Office 286-N	785 296-7696	
First Session: 2011	District: 108	Republican	
Pensions and Benefits	Chair	9:00 am Mon/Wed	152-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Ag & Natural Resources Budget	Member	1:30 pm Daily	142-S
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Information Technology (Joint)	Member	On Call	On Call

Jones, Kevin	Office 512-N	785 296-6287	
First Session: 2013	District: 5	Republican	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Education Budget	Member	3:30 pm Daily	281-N
Information Technology (Joint)	Member	On Call	On Call
Kahrs, Mark	Office 452-S	785 296-5593	
First Session: 2013	District: 87	Republican	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Kelley, Kasha	Office 151-S	785 296-7671	
First Session: 2005	District: 80	Republican	
Appropriations	Member	9:00 am Daily	112-N
Education	Chair	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Kelly, Jim	Office 512-N	785 296-6014	
First Session: 2011	District: 11	Republican	
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Financial Institutions	Vice-Chair	3:30 pm Tue/Thu	152-S
Kinzer, Lance	Office 165-W	785-296-7692	
First Session: 2004	District: 30	Republican	
Elections	Member	1:30 pm Mon/Wed	281-N
Judiciary	Chair	3:30 pm Daily	112-N
State -Tribal Relations (Joint)	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call
Kleeb, Marvin	Office 286-N	785 296-7680	
First Session: 2009	District: 48	Republican	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Labor & Econ. Devel.	Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	582-N
Kuether, Annie	Office 43-S	785 296-7669	
First Session: 1997	District: 55	Democrat	
Energy and Environment	*RM Member	9:00 am Tue/Thu	582-N
Utilities and Telecommunications	*RM Member	9:00 am Mon/Wed	582-N
Judiciary	Member	3:30 pm Daily	112-N

Lane, Harold	Office 451-S	785 296-7649	
First Session: 2003	District: 58	Democrat	
Appropriations	Member	9:00 am Daily	112-N
General Government Budget	*RM Member	1:30 pm Daily	218-N
Agriculture and Natural Resources	Member	3:30 pm Daily	346-S
Information Technology (Joint)	Member	On Call	On Call
Lunn, Jerry	Office 352-S	785 296-7675	
First Session: 2013	District: 28	Republican	
Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	582-N
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Lusk, Nancy	Office 54S	785 296-7651	
First Session: 2013	District: 22	Democrat	
Children and Seniors	Member	9:00 am Tue/Thu	218-N
Education	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	144-S
Macheers, Charles	Office 352-S	785 296-7675	
First Session: 2013	District: 39	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
Pensions and Benefits	Member	9:00 am Mon/Wed	152-S
Ag & Natural Resources Budget	Member	1:30 pm Daily	142-S
Taxation	Member	3:30 pm Daily	582-N
State -Tribal Relations (Joint)	Vice-Chair	On Call	On Call
Mast, Peggy	Office 381-W	785-291-3500	
First Session: 1997	District: 76	Republican	
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Vice-Chair	On Call	On Call
Kansas Security (Joint)	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Legislative Post Audit Committee	Chair	On Call	On Call
McPherson, Craig	Office 268-W	785 296-7695	
First Session: 2013	District: 8	Republican	
Energy and Environment	Member	9:00 am Tue/Thu	582-N
General Government Budget	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N

Meier, Melanie First Session: 2009; 2010 Vets., Military & Homeland Security Corrections and Juvenile Justice Transp. & Public Safety Budget	Office 451-S District: 41 *RM Member Member Member	785 296-7650 Democrat 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	152-S 152-S 142-S
Meigs, Kelly First Session: 2011 Children and Seniors Education Insurance	Office 187-N District: 23 Vice-Chair Member Member	785 296-7656 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Mon/Wed	218-N 112-N 152-S
Menghini, Julie First Session: 2005-2010; 2013 Energy and Environment Transportation Taxation Interstate Cooperation	Office 174-W District: 3 Member Member Member Member	785 296-7691 Democrat 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily On Call	582-N 582-N 582-N On Call
Merrick, Ray First Session: 2000-2010; 2013 Calendar and Printing Interstate Cooperation Legislative Budget (House) Legislative Coordinating Council	Office 370-W District: 27 Vice-Chair Chair Member Vice-Chair	785-296-2302 Republican On Call On Call On Call On Call	On Call On Call On Call On Call
Montgomery, Robert First Session: 2011 Federal and State Affairs Corrections and Juvenile Justice Judiciary	Office 519-N District: 15 Member Member Member	785 296-7677 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 152-S 112-N
Moxley, Tom First Session: 2007 Energy and Environment Corrections and Juvenile Justice Agriculture and Natural Resources	Office 512-N District: 68 Member Member Member	785 296-7689 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 152-S 346-S
O'Brien, Connie First Session: 2009 Children and Seniors Elections Local Government Agriculture and Natural Resources Kansas Security (Joint)	Office 187-N District: 42 Chair Member Member Member Member	785 296-7683 Republican 9:00 am Tue/Thu 1:30 pm Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily On Call	218-N 281-N 281-N 346-S On Call

Osterman, Leslie First Session: 2011 Vets., Military & Homeland Security Health and Human Services Judiciary	Office 512-N District: 97 Vice-Chair Member Member	785 296-7689 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	152-S 546-S 112-N
Pauls, Janice First Session: 1992 Corrections and Juvenile Justice Judiciary Admin. Rules & Regulations (Joint) Rules and Journal	Office 451-S District: 102 Member *RM Member Member Member	785 296-7657 Democrat 1:30 pm Daily 3:30 pm Daily On Call On Call	152-S 112-N On Call On Call
Peck, Virgil First Session: 2005 Appropriations General Government Budget Transp. & Public Safety Budget Legislative Post Audit Committee	Office 274-W District: 12 Member Member Chair Member	785 296-7641 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	112-N 218-N 142-S On Call
Perry, Emily First Session: 2013 Federal and State Affairs Transportation Judiciary	Office 43-S District: 24 Member *RM Member Member	785 296-7669 Democrat 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 582-N 112-N
Peterson, Mike First Session: 1979-1990; 2005 Federal and State Affairs Local Government	Office 173-S District: 32 Member Member	785 296-7371 Democrat 9:00 am Daily 1:30 pm Tue/Thu	346-S 281-N
Petty, Reid First Session: 2013 Federal and State Affairs Transportation Social Services Budget	Office 168-W District: 125 Member Member Member	785 296-7676 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 582-N 144-S
Phillips, Tom First Session: 2012 Children and Seniors Elections Local Government	Office 512-N District: 67 Member Member Vice-Chair	785 296-6014 Republican 9:00 am Tue/Thu 1:30 pm Mon/Wed 1:30 pm Tue/Thu	218-N 281-N 281-N
Powell, Josh First Session: 2013 Energy and Environment Commerce, Labor & Econ. Devel. Taxation	Office 176-W District: 50 Member Member Member	785 296-7674 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 346-S 582-N

Proehl, Richard First Session: 2005 Pensions and Benefits Transportation Financial Institutions Insurance	Office 581-W District: 7 Member Chair Member Member	785 296-7639 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Tue/Thu 3:30 pm Mon/Wed	152-S 582-N 152-S 152-S
Read, Marty First Session: 2013 Federal and State Affairs Transportation Agriculture and Natural Resources	Office 559-W District: 4 Member Member Member	785 296-7310 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 582-N 346-S
Rhoades, Marc First Session: 2007 Appropriations Legislative Budget (House)	Office 111-N District: 72 Chair Chair	785 296-7682 Republican 9:00 am Daily On Call	112-N On Call
Rooker, Melissa First Session: 2013 Children and Seniors Vision 2020 Education	Office 168-W District: 25 Member Member Member	785 296-7686 Republican 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Daily	218-N 218-N 112-N
Rothlisberg, Allan First Session: 2013 Federal and State Affairs Commerce, Labor & Econ. Devel. Education Budget	Office 166-W District: 65 Member Member Member	785 296-7653 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 346-S 281-N
Rubin, John First Session: 2011 Pensions and Benefits Corrections and Juvenile Justice Judiciary Corr. & Juv. Justice Oversight (Joint) Rules and Journal	Office 151-S District: 18 Member Chair Member Member Member	785 296-7690 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily On Call On Call	152-S 152-S 112-N On Call On Call
Ruiz, Louis First Session: 2005 Federal and State Affairs Commerce, Labor & Econ. Devel.	Office 174-W District: 31 *RM Member Member	785 296-7122 Democrat 9:00 am Daily 1:30 pm Daily	346-S 346-S
Ryckman Jr., Ron First Session: 2013 Appropriations Commerce, Labor & Econ. Devel. Transp. & Public Safety Budget	Office 512-N District: 78 Member Member Member	785 296-6287 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	112-N 346-S 142-S

Ryckman Sr., Ronald First Session: 2011 Utilities and Telecommunications Transportation Judiciary	Office 352-S District: 115 Member Vice-Chair Member	785 296-7658 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	582-N 582-N 112-N
Sawyer, Tom First Session: 1987-1998;2003-2009; 2013 Elections Taxation Rules and Journal	Office 174-W District: 95 *RM Member *RM Member Vice-Chair	785 296-7691 Democrat 1:30 pm Mon/Wed 3:30 pm Daily On Call	281-N 582-N On Call
Schroeder, Don First Session: 2007 Utilities and Telecommunications Ag & Natural Resources Budget Agriculture and Natural Resources	Office 512-N District: 74 Member Vice-Chair Member	785 296-7500 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	582-N 142-S 346-S
Schwab, Scott First Session: 2003-2007; 2008 Energy and Environment Utilities and Telecommunications Elections Local Government Taxation	Office 151-S District: 49 Member Member Chair Member Vice-Chair	785 296-7501 Republican 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily	582-N 582-N 281-N 281-N 582-N
Schwartz, Sharon First Session: 1997 Appropriations Elections Local Government Agriculture and Natural Resources Admin. Rules & Regulations (Joint)	Office 149-S District: 106 Member Member Member Chair Chair	785 296-7637 Republican 9:00 am Daily 1:30 pm Mon/Wed 1:30 pm Tue/Thu 3:30 pm Daily On Call	112-N 281-N 281-N 346-S On Call
Seiwert, Joe First Session: 2009 Utilities and Telecommunications Vets., Military & Homeland Security Ag & Natural Resources Budget Agriculture and Natural Resources	Office 521-E District: 101 Chair Member Member Member	785 296-7647 Republican 9:00 am Mon/Wed 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 152-S 142-S 346-S

Shultz, Clark First Session: 1997 Transportation Insurance Rules and Journal	Office 521-E District: 73 Member Chair Chair	785 296-7684 Republican 1:30 pm Daily 3:30 pm Mon/Wed On Call	582-N 152-S On Call
Sloan, Tom First Session: 1995 Vision 2020 Transportation Agriculture and Natural Resources	Office 149-S District: 45 Chair Member Member	785 296-7654 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	218-N 582-N 346-S
Sloop, Patricia First Session: 2013 Energy and Environment Health and Human Services Taxation	Office 174-W District: 88 Member Member Member	785 296-7646 Democrat 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 546-S 582-N
Suellentrop, Gene First Session: 2009 Appropriations Commerce, Labor & Econ. Devel. Financial Institutions Insurance Legislative Budget (House)	Office 186-N District: 91 Vice-Chair Vice-Chair Member Member Vice-Chair	785 296-7681 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Tue/Thu 3:30 pm Mon/Wed On Call	112-N 346-S 152-S 152-S On Call
Sutton, William First Session: 2012 Energy and Environment General Government Budget Transp. & Public Safety Budget	Office 168-W District: 43 Member Member Member	785 296-7676 Republican 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	582-N 218-N 142-S
Swanson, Vern First Session: 2007 Vision 2020 Transportation Financial Institutions	Office 519-N District: 64 Vice-Chair Member Member	785 296-7642 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Tue/Thu	218-N 582-N 152-S
Thimesch, Jack First Session: 2013 Utilities and Telecommunications Transportation Agriculture and Natural Resources	Office 512-N District: 114 Member Member Member	785 296-7105 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily	582-N 582-N 346-S

Tietze, Annie First Session: 2007 Federal and State Affairs Commerce, Labor & Econ. Devel. Interstate Cooperation	Office 561-W District: 53 Member Member *RM Member	785 296-7668 Democrat 9:00 am Daily 1:30 pm Daily On Call	346-S 346-S On Call
Todd, James First Session: 2013 Pensions and Benefits Corrections and Juvenile Justice Taxation Special Claims Against the State (Joint)	Office 268-W District: 29 Member Member Member Member	785 296-7695 Republican 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily On Call	152-S 152-S 582-N On Call
Trimmer, Ed First Session: 2005 Energy and Environment Education Agriculture and Natural Resources Admin. Rules & Regulations (Joint) Legislative Post Audit Committee	Office 174-W District: 79 Member *RM Member Member Member Member	785 296-7122 Democrat 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily On Call On Call	582-N 112-N 346-S On Call On Call
Vickrey, Jene First Session: 1993 Calendar and Printing Interstate Cooperation Legislative Budget (House) Legislative Coordinating Council	Office 372-W District: 6 Chair Member Member Member	785-296-7662 Republican On Call On Call On Call On Call	On Call On Call On Call On Call
Victors, Ponka-We First Session: 2011 Federal and State Affairs Ag & Natural Resources Budget Agriculture and Natural Resources State -Tribal Relations (Joint)	Office 54-S District: 103 Member Member *RM Member Member	785 296-7651 Democrat 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	346-S 142-S 346-S On Call
Ward, Jim First Session: 2003 Utilities and Telecommunications Health and Human Services Judiciary Corr. & Juv. Justice Oversight (Joint)	Office 43-S District: 86 Member *RM Member Member Member	785 296-7698 Democrat 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily On Call	582-N 546-S 112-N On Call

Waymaster, Troy First Session: 2013 Federal and State Affairs Ag & Natural Resources Budget Agriculture and Natural Resources	Office 167-W District: 109 Member Member Member	785 296-7672 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily	346-S 142-S 346-S
Weber, Brian First Session: 2011 Appropriations Health and Human Services Social Services Budget Interstate Cooperation	Office 481-W District: 119 Member Vice-Chair Chair Member	785 296-5481 Republican 9:00 am Daily 1:30 pm Daily 3:30 pm Daily On Call	112-N 546-S 144-S On Call
Weigel, Virgil First Session: 2013 Pension and Benefits Vets., Military & Homeland Security Transportation Taxation	Office 173-W District: 56 Member Member Member Member	785 296-7366 Democrat 9:00 am Mon/Wed 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	152-S 152-S 582-N 582-N
Whipple, Brandon First Session: 2013 Utilities and Telecommunications Commerce, Labor & Econ. Devel. Judiciary Information Technology (Joint)	Office 173W District: 96 Member Member Member Member	785 296-7366 Democrat 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily On Call	582-N 346-S 112-N On Call
Wilson, John First Session: 2013 Children and Seniors Health and Human Services Agriculture and Natural Resources	Office 54-S District: 10 *RM Member Member Member	785 296-7652 Democrat 9:00 am Tue/Thu 1:30 pm Daily 3:30 pm Daily	218-N 546-S 346-S
Winn, Valdenia First Session: 2001 Children and Seniors Utilities and Telecommunications Education Education Budget Calendar and Printing Admin. Rules & Regulations (Joint)	Office 451-S District: 34 Member Member Member *RM Member Member Member	785 296-7657 Democrat 9:00 am Tue/Thu 9:00 am Mon/Wed 1:30 pm Daily 3:30 pm Daily On Call On Call	218-N 582-N 112-N 281-N On Call On Call

Wolfe Moore, Kathy	Office 47-S	785 296-7688	
First Session: 2011	District: 36	Democrat	
Pensions and Benefits	*RM Member	9:00 am Mon/Wed	152-S
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	582-N

**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

2013-2014

March 2013

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JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES
2013-2014

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

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

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any 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 and the motion to concur may be renewed but not on the same legislative day. 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 $\frac{2}{3}$ 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 February 4, 2013, during the 2013 regular session and on February 3, 2014, during the 2014 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 13, 2013, during the 2013 regular session and on February 12, 2014, during the 2014 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, the committee on assessment and taxation 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 11, 2013, during the 2013 regular session and on February 10, 2014, during the 2014 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, the committee on assessment and taxation 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 15, 2013, during the 2013 regular session and on February 14, 2014, during the 2014 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, the committee on assessment and taxation 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 March 1, 2013, during the 2013 regular session and on February 28, 2014, during the 2014 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, the committee on assessment and taxation 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 27, 2013, during the 2013 regular session and March 26, 2014, during the 2014 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 in 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 5, 2013, during the 2013 regular session and after April 4, 2014, during the 2014 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.

Joint rule 6. Floor amendments to bills making appropriations. Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature 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. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

**RULES OF THE
KANSAS HOUSE
OF REPRESENTATIVES**



**2013 - 2014
BIENNIUM**

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RULES OF THE HOUSE OF REPRESENTATIVES 2013-2014

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 purpose 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 Sunday 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.

Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions.

Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice 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, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment 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 Minor-

ity Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, 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. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

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. Agriculture and Natural Resources.....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development.....	17
6. Corrections and Juvenile Justice.....	13
7. Education.....	19
8. Elections.....	13

9. Energy and Environment.....	19
10. Federal and State Affairs	23
11. Financial Institutions	13
12. Health and Human Services	17
13. Insurance	13
14. Interstate Cooperation	7
15. Judiciary	23
16. Local Government.....	13
17. Pensions and Benefits.....	13
18. Rules and Journal	7
19. Taxation	23
20. Transportation.....	17
21. Utilities and Telecommunications	19
22. Veterans, Military and Homeland Security	13
23. 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. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and 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 committee 9
- 2. Education budget committee 9
- 3. General government budget committee 9
- 4. Legislative budget committee 8
- 5. Social services budget committee 9
- 6. Transportation and public safety budget committee..... 9

(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 wire-

less 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 statewide or national award or statewide 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, a 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.

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 presiding officer at the request of any member. The division by the presiding officer 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 presiding officer 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 presiding officer 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 presiding officer, 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 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 of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, 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, or vice 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 his or her 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 his or her vote?" If any member does desire to change his or her 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 his 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 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 reso-

lution 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 Con-

current 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 the 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 E-mail, 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 Com-

mittee 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 resolu-

tion 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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JOURNAL
OF THE
HOUSE

2013 REGULAR SESSION
JANUARY 14, 2013 THROUGH ADJOURNMENT JUNE 20, 2013

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

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, December 3, 2012, 10:00 a.m.

In accordance with the provisions of K.S.A. 40-142, those members elected at the General Elections, November 6, 2012, convened at 10:00 a.m.

The meeting was called to order by Eric Rucker, Assistant Secretary of State, who presented the following certification.

State of Kansas Secretary of State

I, KRIS W. KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two year term beginning on the second Monday of January, A.D. 2013.

District

1st – Michael Houser
2nd – Robert "Bob" Grant
3rd – Julie Menghini
4th – Marty Read
5th – Kevin Jones
6th – Jene Vickrey
7th – Richard J. Proehl
8th – Craig McPherson
9th – Edwin H. Bideau III
10th – John Wilson
11th – Jim Kelly
12th – Virgil Peck
13th – Larry Paul Hibbard
14th – Keith Esau
15th – Robert Montgomery
16th – Amanda Grosserode
17th – Brett M. Hildabrand
18th – John Rubin
19th – Stephanie Clayton
20th – Rob Bruchman
21st – Barbara Bollier
22nd – Nancy Lusk
23rd – Kelly R. Meigs
24th – Emily Perry
25th – Melissa A. Rooker
26th – Larry L. Campbell
27th – Ray Merrick

District

28th – Jerry D. Lunn
29th – James Todd
30th – Lance Kinzer
31st – Louis E. Ruiz
32nd – Michael J. (Mike) Peterson
33rd – Tom Burroughs
34th – Valdenia C. Winn
35th – Broderick Henderson
36th – Kathy Wolfe Moore
37th – Stan Frownfelter
38th – Willie Dove
39th – Charles Macheers
40th – John Bradford
41st – Melanie Meier
42nd – Connie O'Brien
43rd – Bill Sutton
44th – Barbara W. Ballard
45th – Tom Sloan
46th – Paul Davis
47th – Ramon C. Gonzalez Jr.
48th – Marvin Kleeb
49th – Scott Schwab
50th – Joshua Powell
51st – Ron Highland
52nd – Shanti Gandhi
53rd – Annie Tietze
54th – Ken Corbet

District

55th – Annie Kuether
 56th – Virgil Weigel
 57th – John Alcalá
 58th – Harold Lane
 59th – Blaine Finch
 60th – Don Hill
 61st – Richard Carlson
 62nd – Randy Garber
 63rd – Jerry Henry
 64th – Vern Swanson
 65th – Allan Rothlisberg
 66th – Sydney Carlin
 67th – Tom Phillips
 68th – Tom J. Moxley
 69th – J.R. Claeys
 70th – John E Barker
 71st – Diana Dierks
 72nd – Marc Rhoades
 73rd – Clark Shultz
 74th – Don Schroeder
 75th – Will Carpenter
 76th – Peggy Mast
 77th – J. David Crum
 78th – Ron Ryckman (Jr.)
 79th – Ed Trimmer
 80th – Kasha Kelley
 81st – Jim Howell
 82nd – Pete DeGraaf
 83rd – Carolyn Bridges
 84th – Gail Finney
 85th – Steve Brunk
 86th – Jim Ward
 87th – Mark Kahrs
 88th – Patricia M. Sloop
 89th – Roderick A. Houston

District

90th – Steve Huebert
 91st – Gene M. Suellentrop
 92nd – Nile Dillmore
 93rd – George F. (Joe) Edwards II
 94th – Mario Goico
 95th – Tom Sawyer
 96th – Brandon Whipple
 97th – Leslie Osterman
 98th – Phil Hermanson
 99th – Dennis Hedke
 100th – Daniel R. Hawkins
 101st – Joe Seiwert
 102nd – Jan Pauls
 103rd – Ponka-We Victors
 104th – Steven R. Becker
 105th – Mark E. Hutton
 106th – Sharon Schwartz
 107th – Susan L. Concannon
 108th – Steven Johnson
 109th – Troy L. Waymaster
 110th – Travis Couture-Lovelady
 111th – Sue E. Boldra
 112th – John Edmonds
 113th – Marshall Christmann
 114th – Jack Timesch
 115th – Ronald Ryckman (Sr.)
 116th – Kyle D. Hoffman
 117th – John L. Ewy
 118th – Don Hineman
 119th – Brian A. Weber
 120th – Ward M. Cassidy
 121st – Arlen H. Siegfried
 122nd – J. Russell "Russ" Jennings
 123rd – John Doll
 124th – J. Stephen Alford
 125th – Reid Petty

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 3rd day of December, A.D. 2012.

KRIS W. KOBACH
Secretary of State
 ERIC RUCKER
Assistant Secretary of State

Members-Elect Henderson and Meier were absent.
 Assistant Secretary of State Eric Rucker appointed Member-Elect Shultz to serve as temporary chairperson.

Mr. Shultz announced the meeting would recess until the sound of the gavel for the respective party caucuses.

Mr. Shultz called the meeting to order pursuant to recess.

Majority Party Caucus Chairperson Kyle Hoffman submitted the following report:

The Members-Elect of the majority party of the House of Representatives have met and caucused as required by K.S. A. 46-142, and:

(a) Nominate as their candidate for the following offices for the next ensuing biennium:

- (1) Speaker of the House of Representatives, Ray Merrick
- (2) Speaker Pro Tem of the House of Representatives, Peggy Mast
- (b) Select the following caucus or party officers:
 - (1) Majority Leader, Jene Vickrey
 - (2) Assistant Majority Leader, David Crum
 - (3) Majority Whip, Brian Weber
 - (4) Caucus Chairperson, Kyle Hoffman

Assistant Minority Leader Tom Burroughs submitted the following report:

The Members-Elect of the minority party of the House of Representatives have met and caucused as required by K.S. A. 46-142, and have selected the following caucus or party officers:

- (a) Minority Leader, Paul Davis
- (b) Assistant Minority Leader, Tom Burroughs
- (c) Minority Whip, Julie Menghini
- (d) Agenda Chairperson, Annie Tietze
- (e) Caucus Chairperson, Barbara Ballard
- (f) Policy Chairperson, Valdenia Winn

On motion of Member-Elect Vickrey, the caucus reports were received and ordered entered into the Journal.

On motion of Member-Elect Burroughs, the following preorganizational resolution was adopted.

HOUSE PREORGANIZATIONAL MEETING RESOLUTION

A RESOLUTION concerning seating of members of the House of Representatives during the 2013 regular session of the legislature.

Be it resolved by the Members-Elect of the House of Representatives: Members of the majority party shall occupy all seats on the south side of the center aisle of the house chamber and in addition thereto such seats on the north side of the center aisle of the house chamber as needed. Members of the minority party shall occupy the remaining seats on the north side of the center aisle of the house chamber. The candidate of the majority party for speaker and the minority leader shall prepare seat designations for members of the respective parties.

Mr. Shultz declared the House adjourned until 2:00 p.m., Monday, January 14, 2013.

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 14, 2013, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2013 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Kris Kobach, Secretary of State.

Prayer by the Rev. Eunice Brubaker:

Our Heavenly Father – as we begin this new legislative session, I challenge all our leaders to live in accordance to what Your Word says...

“If my people, who are called by my name...”

Constantly remind us that we are Your creation – You have placed us here.

“will humble themselves...”

Help us to come in a spirit of humility before You and each other – recognizing the privilege and honor given to us to serve the people of this great state of Kansas. Help us to honor you in this service to others.

“and pray and seek my face...”

Without Your wisdom and guidance, we will do meaningless work over the next 90 days. Help us to daily pray and seek You and Your wisdom in the decisions to be made.

“and turn from their wicked ways...”

Forgive us as from time to time our humanness and egos get in the way and hinder the progress that needs to happen.

“then will I hear from heaven...”

We know that You hear all the prayers, concerns, petitions, praise and thanksgiving that we offer up to You. You even encourage us to talk to You about everything.

“and will forgive their sin and will heal their land...”

Forgive us of our sin, our shortcomings and we do ask for healing for our society – our communities – our state – our nation.

In Christ's Name I pray, Amen.

(2 Chronicles 7:14, NIV)

The Pledge of Allegiance was led by Rep. Carlson.

Secretary of State Kris Kobach announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

**State of Kansas
Office of
Secretary of State**

I, KRIS KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2013.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 29th day of November, A.D. 2012.

KRIS KOBACH
Secretary of State

Members of the House of Representatives were then called in blocks of ten, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Lawton R. Nuss, Kansas Supreme Court, as follows:

State of Kansas, County of Shawnee, ss:

We and each of us, do solemnly swear or affirm, that we will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Representative of the State of Kansas, so help us God.

District

- 1st – Michael Houser
- 2nd – Robert "Bob" Grant
- 3rd – Julie Menghini
- 4th – Marty Read
- 5th – Kevin Jones
- 6th – Jene Vickrey
- 7th – Richard J. Proehl
- 8th – Craig McPherson
- 9th – Edwin H. Bideau III
- 10th – John Wilson
- 11th – Jim Kelly
- 12th – Virgil Peck
- 13th – Larry Paul Hibbard
- 14th – Keith Esau
- 15th – Robert Montgomery

District

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- 17th – Brett M. Hildabrand
- 18th – John Rubin
- 19th – Stephanie Clayton
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- 21st – Barbara Bollier
- 22nd – Nancy Lusk
- 23rd – Kelly R. Meigs
- 24th – Emily Perry
- 25th – Melissa A. Rooker
- 26th – Larry L. Campbell
- 27th – Ray Merrick
- 28th – Jerry D. Lunn
- 29th – James Todd
- 30th – Lance Kinzer

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 73rd – Clark Shultz
 74th – Don Schroeder
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 89th – Roderick A. Houston
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 91st – Gene M. Suellentrop
 92nd – Nile Dillmore
 93rd – George F. (Joe) Edwards II
 94th – Mario Goico
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 96th – Brandon Whipple
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 98th – Phil Hermanson
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 100th – Daniel R. Hawkins
 101st – Joe Seiwert
 102nd – Jan Pauls
 103rd – Ponka-We Victors
 104th – Steven R. Becker
 105th – Mark E. Hutton
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 112th – John Edmonds
 113th – Marshall Christmann
 114th – Jack Thimesch
 115th – Ronald Ryckman (Sr.)
 116th – Kyle D. Hoffman
 117th – John L. Ewy
 118th – Don Hineman
 119th – Brian A. Weber
 120th – Ward M. Cassidy
 121st – Arlen H. Siegfried
 122nd – J. Russell "Russ" Jennings

*District*123rd – John Doll124th – J. Stephen AlfordSubscribed and sworn to, or affirmed, before me this 14th day of January, 2013.*District*125th – Reid Petty

LAWTON R. NUSS

Chief Justice of the Supreme Court

Nominations being in order for speaker, Rep. Hoffman nominated Rep. Ray Merrick for Speaker of the House. There being no further nominations, Rep. Davis moved the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. Merrick as Speaker of the House of Representatives. The motion prevailed.

Secretary of State Kris Kobach requested Rep. Merrick to approach the bar for the oath of office.

Speaker-elect Merrick subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 14th day of January, 2013.

LAWTON R. NUSS

Chief Justice of the Supreme Court

Speaker Merrick addressed the following remarks to the members of the House:

Thank you, Mr. Chief Justice. Elected Republican and Democratic House leaders, colleagues, staff and friends.... I am incredibly honored to stand before you today as Speaker of the House.

And thank you for honoring me with your trust and confidence by electing me to this position. It is my goal to lead you and to serve this office with humility, patience and perseverance.

It's incredible that a boy born in a log cabin in the Canadian wilderness... who grew up dirt poor and raised by a single mother in Iowa... would find his way before you today. It speaks of the incredible opportunity our great nation offers. Thanks to our system of individual responsibility anyone with a strong dose of persistence, determination and grit is capable of achieving remarkable success.

Persistence and determination play a big role in our job. Each of you were inspired to run for office because of deeply held convictions. You have ideas about where you would like to take the state.

Do not be afraid to share your ideas with your colleagues here and across the rotunda. You may not always find that others share your enthusiasm...but do not let that dampen the motivation to achieve your goals. At the same time, do not be afraid to persevere and work with others who may have a different view. Making friends will

serve you much better than making enemies.

We stand on the edge of a wonderful opportunity...a legislative session that promises open communication between chambers and the support of the executive branch.

We have to work together with fellow legislators to tackle the significant challenges before us this session. This session especially we should remember President Kennedy's admonition to "let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future."

We know the budget is always a challenge, but especially this year because we chose to leave more money in the pockets of hard-working Kansans, and to commit to running the state on less. We will tirelessly pursue economic growth because it benefits every child, woman and man in this state.

I know I speak for many of you when I say we want our children to attend the best schools in the country... and when they graduate to not be lured elsewhere... but to have the opportunity to stay right here in Kansas. The path to that goal does not lie in raising taxes and growing government—that's been tried before over and over again. The path to opportunity for every Kansan lies in the free-market, in more choices, in less government burden and restriction.

Let this be our one moment in time. Every one of us is defined by the choices we make, the obstacles we surmount, the teams we achieve, the people we love and maybe most of all the goals we don't quite reach. Whether in victory or defeat, how we choose to handle these moments is what marks us long after we are gone. In the end, it is how we will be remembered. I hope this will be our moment in time. Let's be remembered for doing what is right for this great state.

I'm very excited to work with each of youas well as President Wagle and the body across the rotunda.... Governor Brownback... and Democratic leaders from both chambers.

In closing, I want to thank my wonderful wife of 40 years Phyllis...and to our sons Matt and Michael. Your love and support mean everything to me.

God bless each of you, and God bless the great state of Kansas. Let's get to work.

Speaker Merrick was presented with the gavel by Secretary of State Kris Kobach and assumed the chair.

Speaker Merrick announced the appointment of Susan Kannarr as Chief Clerk and Wayne Owen as Sergeant-at-Arms of the House of Representatives.

Nominations being in order for speaker pro tem, Rep. Hoffman nominated Rep. Peggy Mast as Speaker pro tem of the House. There being no further nominations, Rep. Burroughs moved the nominations be closed, and that the Chief Clerk be instructed to cast a unanimous ballot for Rep. Mast as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker Merrick requested Rep. Mast to approach the bar for the oath of office.

Speaker pro tem-elect Mast subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 14th day of January, 2013.

LAWTON R. NUSS

Chief Justice of the Supreme Court

Speaker pro tem Mast addressed the following remarks to the members of the House:

“These are the times that try men’s souls.” I woke up one morning with that phrase on my mind. It was stated by Thomas Paine on December 23, 1776 and seems appropriate even today. Our biggest concerns seem to be coming from the Federal Government. We are looking at our national leaders who keep facing a fiscal cliff of enormous proportions that will affect each state greatly as they keep postponing coming to grips with it and taking it head on. On average, around 40% of a state’s budget is federal dollars so the problem for Kansas is obvious. We are also looking at regulations from the federal government that threaten to choke our energy opportunities, over-regulate our farmers, and eliminate liberties in health care decisions. We will be addressing huge challenges in funding Medicaid, education, and the many other responsibilities of state governance as well. Of course, this is only the beginning of issues we will address over the next two years, but address them we must.

Kansas faced its own fiscal cliff when federal stimulus dollars ran out and we needed to trim our own budgets or force our citizens to sacrifice more of their hard earned dollars to avoid the reality of a recession. We have come through that time and the result is national recognition for our self-discipline. As a result, we see our private sector growing rather than the size of government.

Kansas is a state born out of adversity and trials. Even as we were being accepted into the nation as a state, we came together to address the most controversial issue of the day. I know we all take great pride knowing our founding fathers chose to recognize that all men are created equal and deserve equal protection and privileges under our laws.

I would like to close with another quote I found recently. “The budget should be balanced, the treasury should be refilled, public debt should be reduced. The arrogance of officialdom should be tempered and controlled, and assistance to foreign lands should be curtailed lest Rome become bankrupt. People must again learn to work, instead of living on public assistance.”...Cicero, 55 B.C.

We know the eventual outcome for Rome. We see what is happening in Greece today as well as states like California. I pledge to help address the problems we face with each of you individually to the greatest extent of my ability as well as working with other members of leadership to strengthen our resolve. Kansas is a state we are all privileged to live in, and by God’s grace we can be an example other states will want to follow. We should look to Him first to guide our every action.

Thank you for the privilege to serve in this capacity as Speaker Pro Tem for the next two years. I want to work shoulder to shoulder with each of you.

Speaker Merrick asked for announcements from party caucuses:

Rep. Hoffman stated the majority (Republican) party had met and elected the following:

- Majority Leader, Rep. Jene Vickrey
- Assistant Majority Leader, Rep. David Crum
- Majority Whip, Rep. Brian Weber
- Caucus Chairperson, Rep. Kyle Hoffman

Rep. Vickrey addressed the following remarks to the members of the House:

Mr. Speaker Merrick, Speaker Pro Tem Mast, Minority Leader Davis, fellow members of the Kansas House, and honored guests.

Most of us remember the hymn “Count your blessings.” As Kansans, we all have many to count. My first is my wonderful wife, Teresa. She and I will celebrate our 32nd wedding anniversary this July 28th. Together, we have four children. The oldest, Jacob, is a Pittsburg State graduate who is married to Kori. They are the parents of our granddaughters, Emma, 3 ½ year and 1 year old Olivia. Next is our 18 year old daughter, Jasmine “Jazzy” with our one year old granddaughter Analeigh. Twins, Josh and Johanna, are in 8th grade at Louisburg Middle School. Teresa and I are so blessed with grandchildren and even more excited that they live so close to us.

Another blessing to count for me is being born and raised on a family farm in rural Miami County. That family farm is where WWII era parents, Loma and Wendell, taught me through examples of how they lived their lives. They would often express memorable quotes to me: “always give an honest day’s work for an honest day’s pay”, “your word is your bond” and “a handshake is the same as a signature.” These are the values of the hardworking, honest Kansans we represent and they deserve our best effort when we debate and work on legislation to find real solutions to improve their lives.

Finally, the blessing we all enjoy as members of the Kansas House of Representatives. It is true as our new members will soon experience, that we are often the “raucous” house. However, we are the “Peoples House” and are responsive to those who we represent. By design, the House is the voice of the people, the protector of liberty and freedom.

It is a great honor to serve as your Majority Leader. Know that together we will turn challenges into opportunity.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers:

- Minority Leader, Rep. Paul Davis
- Assistant Minority Leader, Rep. Tom Burroughs
- Minority Whip, Rep. Julie Menghini
- Agenda Chairperson, Rep. Annie Tietze
- Caucus Chairperson, Rep. Barbara Ballard
- Policy Chairperson, Rep. Valdenia Winn

Rep. Davis addressed the following remarks to the members of the House:

I first want to thank my colleagues in the House Democratic Caucus for allowing me to serve as your leader for the next two years. Our group has become a mix of seasoned veterans and energetic first termers. And regardless of whether you have been here for many years or whether this is your first year, I am honored by the opportunity to work on your behalf.

I want to congratulate Representative Merrick on his election as Speaker of the House, and I'd like to welcome the 57 new members of this body. The fact that this is a historical moment in each of your lives coincides with this incoming class of legislators marking a historical moment in the life of this legislative body and our State.

Fifty-seven new members – that is quite remarkable. We rarely experience such an influx of fresh faces at one time. And at this moment, we really don't know much about one another, other than our respective political affiliations. But as we embark on this 90-day journey, it is important for each of us to pause from our hectic daily routines in this building, listen to each other, learn from one another and find out a little about what lies beneath our partisan labels.

I say this because these are tough times. And I'm not talking about the economy or any quantitative measure of prosperity. I'm talking about the toxic atmosphere that has poisoned lawmaking chambers across the country over the last decade.

Yes, we come from different walks of life, we have different priorities, and we have different beliefs about the role of government. There is no question that at times we will disagree passionately about issues that come before us. And this is something we should encourage and celebrate; because it is the essence of democracy. But we must do so with an understanding that compromise is good, that Republicans and Democrats working together does lead to better policymaking, and that our debates should be guided by a time-honored, respectful sense of civility toward each other.

There is nothing like a shared human experience to aid us in transcending party lines. And we have certainly experienced one of those in recent weeks. As a Father, the horrific shooting at Sandy Hook Elementary School that occurred one month ago today reminded me, probably like no other event in my 40 years, that life is very, very precious. And as I saw the pictures of the young, innocent children flashing across my television set in the days following, I kept seeing my own three-year-old daughter's big brown eyes and curly hair. And my heart continues to ache for the parents who sent their children to school that Friday morning – 11 days before Christmas – never to see them alive again.

Our nation has now become mired in a discussion about what we should do or should not do to make sure that another Sandy Hook doesn't occur. And I have watched our nation slowly fall back into the deadly politics of polarization---defined by name calling on television talk shows, an unwillingness to acknowledge that differing viewpoints have something meaningful to add to the debate, and a lack of people of who are willing to exercise the necessary leadership to promote a dialogue that brings people together instead of tearing them apart.

There may or may not be laws that need to be changed and we need to have these debates. But as I keep pondering how we should respond to this horrible tragedy, I keep coming back to the fact that the ultimate cure for these acts, if there is one, lies in each one of us---how we live our lives, and most importantly, how we treat each other.

We don't have to pass any law to make that change, and we can start right now. I must confess that during my previous ten years in this body there are a lot of people that I didn't take the time to get to know, I didn't listen to much and I didn't have an appreciation for. But I had an experience last year that really made me realize what I had been missing.

For a of number years another member of this body and I sparred at forums and probably didn't speak more than a few words to each other. I think it is fair to say that neither of us had a whole of lot of use for the other.

But he decided to strike up a conversation with me about a year ago as we walked out of a Farm Bureau dinner and we ended talking for over an hour. That conversation, which was mostly about the struggles both of us had with balancing service in the Legislature with our professions and our families, allowed us to work closely together during the redistricting process and on a number of other issues.

That conversation allowed me to find out more about who he is as a person, it made me realize that we actually have a lot in common, and it helped me appreciate that this Representative offered a lot to the legislative process that I didn't appreciate at all before.

This is the People's House – it does not belong to a political party and it is the ultimate marketplace of ideas. No matter what the partisan breakdown of this chamber may be, we are all equal partners in this process and we are the stewards of democracy in this State. Everyone in this room was elected to be a voice for others. Everyone here has the right – and a responsibility – to speak up, regardless of whether you find yourself in the minority or the majority.

We will enact better policy and we will become better human beings if we approach the legislative process a little less like we approached our political campaigns and a little more like we approach the “circle time” that occurs at my daughter's school, Sandy Hook Elementary and virtually every other grade school in our country--- Everyone, Everyone has something worthwhile to contribute----Or in other words, there is more to this than just 63 votes.

In closing, I'd like to evoke the image of someone that I believe everyone in this room will agree is a true Kansas hero.

The morning after the most recent partisan fight in Washington, a discouraged Tom Brokaw appeared on the news and displayed a photo that he urged every member of Congress to keep close. It was an image of 89- year-old Republican Senator Bob Dole, standing before a casket that held the remains of Democratic Senator Daniel Inouye. The two men lived their lives on opposite ends of the ideological spectrum, but they developed a friendship that outlasted any political disagreement they may have had throughout their distinguished careers. Despite his frail condition, Senator Dole refused to attend Inouye's wake in a wheelchair because he was determined to salute him properly.

Lawmakers face just as many challenges today as they faced back when Bob Dole walked the halls of the United States Capitol. The only difference between then and now is the number of people who are willing to listen to and work with one another. But even in these polarizing times, I believe that every man and woman in this room has a little bit of Bob Dole inside them. We are all capable of embracing that same spirit of statesmanship, because at the end of the day there is so much more that unites us than divides us.

As Senator Dole said: “Anyone who wants to understand me must first understand Russell, Kansas. It is my home, where my roots lie, and a constant source of strength. My father’s view of the world as “stewers versus doers” registered early. From my neighbors, I learned to feel deeply for God, country and family. The Russell of my youth was not a place of wealth. Yet it was generous with the values that would shape my outlook and the compassion that would restore life’s richness after I had begun to doubt my future. I have tried in my own way to give back some of what the town has given me. I have tried to defend and serve the America that I learned to love in Russell.”

It doesn’t get much more Kansas than that. It is the places like Russell, Lawrence and Stilwell that bind us all together. And it is as President Kennedy said almost 50 years ago “for in the final analysis our most basic common link is that we all inhabit this planet. We all breathe the same air. We all cherish our childrens’ future. And we are all mortal”.

So, just like that image of our Republican senator saluting his Democratic colleague after a lifetime of service and friendship, I hope you will keep the words of Bob Dole and John Kennedy close as we embark on this journey together.

Ad astra per aspera.

The roll was called with 125 members present.

STANDING COMMITTEES OF THE HOUSE 2013 LEGISLATIVE SESSION

Agriculture and Natural Resources: Schwartz, *Chairperson*; Hoffman, *Vice Chairperson*; Boldra, Carpenter, Dierks, Ewy, Gonzalez, Hibbard, Johnson, Moxley, O'Brien, Read, Schroeder, Seiwert, Sloan, Thimesch, Waymaster

Victors, *Ranking Minority Member*; Alcalá, Carlin, Lane, Trimmer, Wilson

Agriculture and Natural Resources Budget: Hoffman, *Chairperson*; Schroeder, *Vice Chairperson*; Garber, Johnson, Macheers, Seiwert, Waymaster

Carlin, *Ranking Minority Member*; Victors

Appropriations: Rhoades, *Chairperson*; Suellentrop, *Vice Chairperson*; Carlson, Cassidy, Crum, DeGraaf, Grosserode, Hoffman, Hutton, Kahrs, Kelley, Kleeb, Lunn, Peck, Ryckman, Jr., Schwartz, Weber

Henry, *Ranking Minority Member*; Ballard, Carlin, Dillmore, Grant, Lane

Calendar and Printing: Vickrey, *Chairperson*; Merrick, *Vice Chairperson*; Crum, Mast

Ballard, *Ranking Minority Member*; Winn

Children and Seniors: O'Brien, *Chairperson*; Meigs, *Vice Chairperson*; Becker, Bollier, Carpenter, Edmonds, Hawkins, Hill, Phillips, Rooker

Wilson, *Ranking Minority Member*; Lusk, Winn

Commerce, Labor and Economic Development: Kleeb, *Chairperson*;

Suellentrop, *Vice Chairperson*; Brunk, Carlson, Carpenter, Claeys, Corbet, Couture-Lovelady, Houser, Hutton, J. Powell, Rothlisberg, Ryckman, Jr.

Frownfelter, *Ranking Minority Member*; Ruiz, Tietze, Whipple

Corrections and Juvenile Justice: Rubin, *Chairperson*; Gonzalez, *Vice Chairperson*; Becker, Bruchman, Campbell, Finch, Hildabrand, Montgomery, Moxley, Todd

Finney, *Ranking Minority Member*; Meier, Pauls

Education: Kelley, *Chairperson*; Cassidy, *Vice Chairperson*; Boldra, Bradford, Dierks, Dove, Ewy, Gandhi, Grosserode, Hedke, Highland, Lunn, Meigs, Rooker Trimmer, *Ranking Minority Member*; Bridges, Houston, Lusk, Winn

Education Budget: Cassidy, *Chairperson*; Grosserode, *Vice Chairperson*; Dove, Highland, Huebert, Jones, Rothlisberg

Winn, *Ranking Minority Member*; Henry

Elections: Schwab, *Chairperson*; Huebert, *Vice Chairperson*; Barker, Esau, Jennings, Kinzer, O'Brien, Phillips, Schwartz, Siegfried

Sawyer, *Ranking Minority Member*; Alcala, Dillmore

Energy and Environment: Hedke, *Chairperson*; Alford, *Vice Chairperson*; Boldra, Christmann, Garber, Hermanson, Highland, Jennings, Macheers, McPherson, Moxley, J. Powell, Schwab, Sutton

Kuether, *Ranking Minority Member*; Finney, Menghini, Sloop, Trimmer

Federal and State Affairs: Siegfried, *Chairperson*; Brunk, *Vice Chairperson*; Campbell, Claeys, Concannon, Corbet, Couture-Lovelady, Dove, Ewy, Gandhi, Hildabrand, Houser, Montgomery, Petty, Read, Rothlisberg, Waymaster

Ruiz, *Ranking Minority Member*; Henderson, Perry, Peterson, Tietze, Victors

Financial Institutions: DeGraaf, *Chairperson*; Kelly, *Vice Chairperson*; Campbell, Hawkins, Hermanson, Hill, Hutton, Proehl, Suellentrop, Swanson

Frownfelter, *Ranking Minority Member*; Burroughs, Henderson

General Government Budget: DeGraaf, *Chairperson*; Howell, *Vice Chairperson*; Hineman, Kahrs, McPherson, Peck, Sutton

Lane, *Ranking Minority Member*; Burroughs

Health and Human Services: Crum, *Chairperson*; Weber, *Vice Chairperson*; Alford, Bideau, Bollier, Christmann, Concannon, Edmonds, Hawkins, Hill, Jones, Kelly, Osterman

Ward, *Ranking Minority Member*; Sloop, Wilson, Wolfe Moore

Insurance: Shultz, *Chairperson*; Hermanson, *Vice Chairperson*; Bollier, DeGraaf, Doll, Hill, Hutton, Meigs, Proehl, Suellentrop

Finney, *Ranking Minority Member*; Frownfelter, Houston

Interstate Cooperation: Merrick, *Chairperson*; Mast, *Vice Chairperson*; Crum, Vickrey, Weber
Tietze, *Ranking Minority Member*; Menghini

Judiciary: Kinzer, *Chairperson*; Bruchman, *Vice Chairperson*; Alford, Barker, Becker, Bideau, Christmann, Esau, Finch, Howell, Jennings, Kahrs, McPherson, Montgomery, Osterman, Rubin, Ryckman, Sr.
Pauls, *Ranking Minority Member*; Bridges, Kuether, Perry, Ward, Whipple

Legislative Budget (House): Rhoades, *Chairperson*; Suellentrop, *Vice Chairperson*; Crum, Mast, Merrick, Vickrey
Davis, *Ranking Minority Member*; Burroughs

Local Government: Huebert, *Chairperson*; Phillips, *Vice Chairperson*; Barker, Clayton, Esau, Jennings, O'Brien, Schwab, Schwartz, Siegfried
Alcala, *Ranking Minority Member*; Henderson, Peterson

Pensions and Benefits: Johnson, *Chairperson*; Howell, *Vice Chairperson*; Barker, Hawkins, Jones, Kelly, Macheers, Proehl, Rubin, Todd
Wolfe Moore, *Ranking Minority Member*; Alcala, Weigel

Rules and Journal: Shultz, *Chairperson*; Bruchman, Couture-Lovelady, Kinzer, Rubin
Sawyer, *Vice Chairperson*; Pauls

Social Services Budget: Weber, *Chairperson*; Crum, *Vice Chairperson*; Bradford, Concannon, Gandhi, Garber, Petty
Ballard, *Ranking Minority Member*; Lusk

Taxation: Carlson, *Chairperson*; Schwab, *Vice Chairperson*; Brunk, Claey's, Corbet, Couture-Lovelady, Edmonds, Goico, Hedke, Hineman, Kelley, Kleeb, Lunn, Macheers, J. Powell, Siegfried, Todd
Sawyer, *Ranking Minority Member*; Dillmore, Menghini, Sloop, Weigel, Wolfe Moore

Transportation: Proehl, *Chairperson*; Ryckman, Sr., *Vice Chairperson*; Doll, Edwards, Goico, Hermanson, Hibbard, Petty, Read, Shultz, Sloan, Swanson, Thimesch
Perry, *Ranking Minority Member*; Grant, Menghini, Weigel

Transportation and Public Safety Budget: Peck, *Chairperson*; Hildabrand, *Vice Chairperson*; Clayton, Edwards, Houser, Ryckman, Jr., Sutton
Grant, *Ranking Minority Member*; Meier

Utilities and Telecommunications: Seiwert, *Chairperson*; Garber, *Vice Chairperson*; Boldra, Bruchman, Carpenter, Clayton, Doll, Finch, Gonzalez, Hermanson, Ryckman, Sr., Schroeder, Schwab, Thimesch
Kuether, *Ranking Minority Member*; Frownfelter, Ward, Whipple, Winn

Veterans, Military and Homeland Security: Goico, *Chairperson*; Osterman, *Vice Chairperson*; Barker, Bradford, Dierks, Edwards, Gonzalez, Johnson, Jones, Seiwert Meier, *Ranking Minority Member*; Bridges, Weigel

Vision 2020: Sloan, *Chairperson*; Swanson, *Vice Chairperson*; Bideau, Christmann, Edmonds, Esau, Hibbard, Hineman, Jennings, Rooker Houston, *Ranking Minority Member*; Bridges, Finney

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 2012 Regular Session of the Legislature:

From Derek Schmidt, Kansas Attorney General, the annual report of the Crime Victims Compensation Board for fiscal year 2010.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, the Financial Statements for the year ended June 30, 2012, and the Independent Auditors' Report.

From Jeremy Barclay, Communication Director, Kansas Department of Corrections, the Fiscal Year 2012 Annual Report.

From Derek Schmidt, Kansas Attorney General, the 2012 Annual Report of the Kansas Child Death Review Board.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, notice that the KPERS Comprehensive Annual Financial Report is available at <http://www.kpers.org/annualreport2012.pdf>.

From Ed Eilert, Chairman, in accordance with the requirements of K.S.A. 19-5005(e), the Johnson County Research Triangle Authority Annual Report for the year ending June 30, 2012.

From the Justice Reinvestment Working Group, according to K.S.A. 2012 Supp. 75-52,160 (2012 HB 2684), its report regarding increased public safety and reduced recidivism and spending on corrections in Kansas.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2012.

From Robin L. Jennison, Secretary, Department of Wildlife, Parks and Tourism, in accordance with K.S.A. 32-844 and 32-845, a report regarding land acquisition and renewals.

From Derek Schmidt, Attorney General, according to K.S.A. 75-7c16(b) of the Kansas Personal and Family Protection Act, the statistical report regarding concealed carry licenses.

From the Office of Governor Sam Brownback:

Executive Order No. 12-08, concerning drought watches, warnings, and emergency conditions in effect until revised or rescinded.

Executive Order No. 12-09, approving an operations plan for the Governor's

drought response team.

Executive Order No. 12-10, declaring a drought warning or drought emergency for certain counties, replacing Executive Order 12-08.

Executive Order No. 12-11, superseding Executive Order No. 12-06, concerning conditional and temporary relief from motor carrier rules and regulations.

Executive Directive No. 12-430, authorizing personnel transactions.

Corrected Executive Directive No. 12-430, authorizing personnel transactions.

Executive Directive No. 12-431, authorizing expenditure of federal funds.

Executive Directive No. 12-432, authorizing expenditure of federal funds.

Executive Directive No. 12-433, authorizing personnel transactions.

Executive Directive No. 12-434, authorizing expenditure of federal funds.

Executive Directive No. 12-435, authorizing expenditure of federal funds.

Executive Directive No. 12-436, authorizing expenditure of federal funds.

Executive Directive No. 12-437, authorizing expenditure of federal funds.

Also, from Ron Estes, Kansas State Treasurer, 2012 Annual Report for the Kansas State Treasurer's Office.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, in accordance with K.S.A. 49-512(h), TRA Trust Expenditures/Income Report: September 2012.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, in accordance with K.S.A. 2010 Supp.66-1250 through 66-1254; Abandoned Oil and Gas Well Status Report/Remediation Site Status Report, 2013.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, in accordance with K.S.A. 55-194, Broadband Service Report, 2013.

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. Vickrey, **HR 6001**, by Reps. Merrick 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:

Ray Merrick, speaker,

Peggy Mast, speaker pro tem,

Gene Vickrey, 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. Vickrey, **HR 6002**, by Reps. Merrick 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 speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alcalá 75, Alford 117, Ballard 30, Barker 26, Becker 46, Bideau 25, Boldra 65, Bollier 104, Bradford 41, Bridges 35, Bruchman 101, Brunk 82, Burroughs 5, Campbell 119, Carlin 33, Carlson 20, Carpenter 79, Cassidy 62, Christmann 109, Claeys 70, Clayton 106, Concannon 84, Corbet 93, Couture-Lovelady 23, Crum 37, DeGraaf 39, Dierks 90, Dillmore 76, Doll 96, Dove 21, Edmonds 83, Edwards 40, Esau 111, Ewy 63, Finch 92, Finney 52, Frownfelter 18, Gandhi 38, Garber 71, Goico 97, Gonzalez 108, Grant 36, Grosserode 68, Hawkins 112, Hedke 42, Henderson 73, Henry 6, Hermanson 99, Hibbard 107, Highland 94, Hildabrand 110, Hill 122, Hineman 47, Hoffman 113, Houser 60, Houston 34, Howell 95, Huebert 118, Hutton 9, Jennings 102, Johnson 22, Jones 78, Kahrs 125, Kelley 24, Kelly 61, Kinzer 12, Kleeb 19, Kuether 48, Lane 74, Lunn 100, Lusk 29, Macheers 45, McPherson 72, Meier 31, Meigs 66, Menghini 51, Montgomery 87, Moxley 121, O'Brien 89, Osterman 80, Pauls 17, Peck 77, Perry 50, Peterson 16, Petty 123, Phillips 91, Powell 43, Proehl 59, Read 88, Rhoades 7, Rooker 67, Rothlisberg 98, Rubin 44, Ruiz 58, Ryckman Jr. 11, Ryckman Sr. 27, Sawyer 15, Schroeder 105, Schwab 86, Schwartz 64, Seiwert 115, Shultz 10, Siegfried 81, Sloan 120, Sloop 53, Suellentrop 8, Sutton 85, Swanson 103, Thimesch 114, Tietze 14, Todd 69, Trimmer 13, Victors 57, Ward 56, Waymaster 116, Weber 124, Weigel 54, Whipple 32, Wilson 55, Winn 28, Wolfe-Moore 49.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Vickrey, **HR 6003**, by Reps. Merrick and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6003**—

A RESOLUTION relating to the rules of the House of Representatives for the 2013-2014 biennium.

Be it resolved by the House of Representatives of the State of Kansas: That except as otherwise hereinafter provided, the rules of the House of Representatives for the

2011-2012 biennium in effect at the time of adjournment sine die of the 2012 regular session of the legislature shall constitute the temporary rules of the House of Representatives for the 2013 regular session until permanent rules are adopted; and

Be it further resolved: That Rule 1101 of the 2011-2012 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

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. Agriculture and Natural Resources.....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development	17
6. Corrections and Juvenile Justice	13
7. Education	19
8. Elections.....	13
9. Energy and Environment.....	19
10. Federal and State Affairs.....	23
11. Financial Institutions	13
12. Health and Human Services.....	17
13. Insurance	13
14. Interstate Cooperation	7
15. Judiciary.....	23
16. Local Government.....	13
17. Pensions and Benefits.....	13
18. Rules and Journal	7
19. Taxation	23
20. Transportation.....	17
21. Utilities and Telecommunications.....	19
22. Veterans, Military and Homeland Security.....	13
23. 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. The house standing committee on commerce, labor and economic development shall constitute the

successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6004**—

By Representatives Merrick and Davis

A RESOLUTION adopting permanent rules of the House of Representatives for the 2013-2014 biennium.

Be it resolved by the House of Representatives of the State of Kansas: The following rules shall be the permanent rules of the House of Representatives for the 2013-2014 biennium.

RULES OF THE HOUSE OF REPRESENTATIVES 2013-2014

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 purpose 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 Sunday 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. Agriculture and Natural Resources.....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development	17
6. Corrections and Juvenile Justice	13
7. Education	19
8. Elections.....	13
9. Energy and Environment.....	19
10. Federal and State Affairs.....	23
11. Financial Institutions	13
12. Health and Human Services.....	17
13. Insurance	13
14. Interstate Cooperation	7
15. Judiciary.....	23
16. Local Government.....	13
17. Pensions and Benefits.....	13
18. Rules and Journal	7
19. Taxation	23
20. Transportation.....	17
21. Utilities and Telecommunications.....	19
22. Veterans, Military and Homeland Security.....	13
23. 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. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and 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 committee 9
- 2. Education budget committee..... 9
- 3. General government budget committee 9
- 4. Legislative budget committee..... 8
- 5. Social services budget committee 9
- 6. Transportation and public safety budget committee..... 9

(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 statewide or national award or statewide 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, a 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 his or her 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 his or her vote?" If any member does desire to change his or her 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 his 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 the 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.

Speaker Merrick announced the referral of **HR 6004** to Committee on Rules and Journal.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Vickrey, **HCR 5001**, by Reps. Merrick and Davis, as follows, was introduced and adopted:

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.

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 15, 2013, for the purpose of hearing the message of the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: 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.

In accordance with **HCR 5001**, Speaker Merrick appointed Reps. Weber, Hoffman and Dillmore to escort the Governor.

Reps. Kinzer, DeGraaf and Frownfelter to escort the Lt. Governor.
Reps. Siegfried, Kleeb and Trimmer to escort the Supreme Court.
Reps. Hermanson, Proehl and Winn to escort the Senate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2001, AN ACT concerning the Kansas national guard educational assistance act; relating to eligibility; amending K.S.A. 2012 Supp. 74-32,146 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2002, AN ACT concerning the state lottery; relating to security audits; background investigation requirements; amending K.S.A. 74-8707 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2003, AN ACT concerning school districts; relating to school finance; amending K.S.A. 72-6444 and K.S.A. 2012 Supp. 72-978, 72-6409, 72-6410, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451 and 72-6456 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 72-978a, by Representative Huebert.

HB 2004, AN ACT concerning schools; relating to pupils and reading state assessments, by Representative Huebert.

HB 2005, AN ACT concerning school districts; relating to state aid for capital improvements and capital outlay; amending K.S.A. 2012 Supp. 72-8814 and 75-2319 and repealing the existing sections, by Representative Huebert.

HB 2006, AN ACT concerning the Kansas rules and regulations filing act; amending K.S.A. 2012 Supp. 77-415 and repealing the existing section, by Committee on Joint Committee on Administrative Rules and Regulations.

HB 2007, AN ACT concerning insurance holding companies; amending K.S.A. 40-3302, 40-3304, 40-3305, 40-3306, 40-3307, 40-3308, 40-3309, 40-3311 and 40-3311a and repealing the existing sections, by Committee on 2012 Special Committee on Financial Institutions and Insurance.

HB 2008, AN ACT concerning criminal procedure; relating to the statute of limitations for certain sexually violent crimes; amending K.S.A. 2012 Supp. 21-5107 and repealing the existing section, by Representative Finney.

HB 2009, AN ACT concerning the uniform act regulating traffic; relating to failure to comply with traffic citation; restricted driving privileges; amending K.S.A. 2012 Supp. 8-2110 and repealing the existing section, by Representative Finney.

HB 2010, AN ACT concerning business entities; relating to use of names, by Representative Finney.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2011, AN ACT concerning distinctive license plates; relating to motorcycles; amending K.S.A. 2012 Supp. 8-1,142 and repealing the existing section, by Committee on Legislative Educational Planning Committee.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2010**.

Corrections and Juvenile Justice: **HB 2008**.

Education: **HB 2003, HB 2004, HB 2005**.

Federal and State Affairs: **HB 2002**.

Insurance: **HB 2007**.

Judiciary: **HB 2006**.

Transportation: **HB 2009**.

Veterans, Military and Homeland Security: **HB 2001**.

MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701** a resolution relating to the organization of the 2013 Senate and selection of the following officers:

Susan Wagle, President,

Jeff King, Vice President,

Terry Bruce, Majority Leader,

Anthony Hensley, Minority Leader,

Diane Minear, Secretary,

Jody Kirkwood, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

Also, announcing adoption of **SCR 1603**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2013 session of the Legislature is duly organized and ready to receive communication.

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

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Vickrey, **SCR 1603**, relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications, was thereupon introduced and adopted.

In accordance with **SCR 1603**, Speaker Merrick appointed Reps. Weber, Hoffman and Finney to wait upon the Governor.

INTRODUCTION OF GUESTS

Speaker Merrick introduced Dr. Christian Cupp, President of the Kansas Academy of Family Physicians. Dr. Cupp was born and raised in the western Kansas town of Scott City, where he currently practices as a Family Physician. He is an honors

graduate of Washburn University of Topeka. Dr. Cupp earned his M.D. from the University of Kansas School of Medicine in 2000 and completed his residency at Via Christi Family Practice Residency in Wichita, Kansas. In 2004 he returned home to Scott City and joined the Scott City Clinic where has practiced full-spectrum Family Medicine since that point.

In 2009, Dr. Cupp achieved his Fellowship in the American Academy of Family Physicians. He is a member of the AAFP, the Kansas Medical Society, the American Medical Association, the Kansas Academy of Family Physicians, and the Alpha Omega Alpha Honor Medical Society. He is currently President of the Kansas Academy of Family Physicians.”

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. Thank you for again providing this service.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 15, 2013.

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 15, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Montgomery, Peterson and Siegfried were excused on excused absence by the Speaker.

Present later: Rep. Siegfried.

Prayer by Chaplain Brubaker:

Creator God,
 thank You for fresh new starts – for new beginnings.
 With the genesis of a new session,
 there is a spirit of excitement and hope.
 Help our leaders to capture this new excitement and passion
 and begin to build upon it.
 As we look around, we see familiar faces,
 we see many new faces.
 From Elkhart to Highland,
 St. Francis to Baxter Springs,
 Kiowa to Smith Center
 and Coolidge to Mound City,
 these representatives have come together
 to work as a team to make Kansas a better state
 and to improve the life of our citizens.
 From the stockyards in western Kansas
 to the stock broker's office in Corporate Woods,
 we know there are differences of opinions and philosophies,
 but as mentioned yesterday, help us to focus on the similarities
 and not obsess about the differences.
 And, most of all, help us to seek You and Your wisdom.
 In Your Son's Name I pray,
 Amen.

The Pledge of Allegiance was led by Rep. Ryckman, Sr.

APPOINTMENT

Speaker Merrick announced the appointment of the Rev. Eunice Brubaker, Church of the Nazarene District Coordinator for Church Plants, Topeka, as Chaplain of the House.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Transportation: **HB 2011**.

COMMUNICATIONS FROM STATE OFFICERS

From Representative Carl D. Holmes, Chairperson, Kansas Electric Transmission Authority, 2012 Annual Report to the Governor and the Legislature, January 14, 2013.

From REAP (Regional Economic Area Partnership of South Central Kansas), in accordance with KSA 74-50,150, Kansas Affordable Airfares Program Fiscal Year 2013 Financial Status Report.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 75-723, Abuse, Neglect and Exploitation Unit (ANE), Annual Report, July 1, 2011 - June 30, 2012.

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 5001**, 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 Donovan and Faust-Goudeau to escort the Governor and Senators Ostmeyer and Kelly to escort the Lt. Governor. Also, Senators King and Haley to escort the Supreme Court.

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

EVENING SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

It being the hour in accordance with **HCR 5001** to meet in joint session with the Senate to hear the message of the Governor, Reps. Hermanson, Proehl and Winn escorted members of the Senate to seats in the House.

Reps. Siegfried, Kleeb and Trimmer and Senators King and Haley escorted the Supreme Court to seats in the House.

Reps. Kinzer, DeGraaf and Frownfelter and Senators Ostmeyer and Kelly escorted the Lt. Governor to a seat in the House.

Reps. Weber, Hoffman and Dillmore and Senators Donovan and Faust-Goudeau escorted the Governor to the rostrum.

**GOVERNOR SAM BROWNBACK'S COMPLETE TEXT
OF THE STATE OF THE STATE
January 15, 2013**

Mr. Speaker, Madam President, Legislators, Justices of the Kansas Supreme Court; Lt. Governor Jeff Colyer and members of my Cabinet; leaders of the Native American Nations of Kansas, my wonderful wife and First Lady of Kansas, Mary – my parents, Bob and Nancy Brownback - and My Fellow Kansans - Good evening.

Kansas Governors have appeared more than 130 times to discuss the state of our state. I am honored to be the first Governor to say, "Welcome, Madam President."

Mr. Speaker, Madam President, the state of our state is strong and blessed and leading America in several key arenas.

Let me begin tonight by saying Kansas is a truly special place---a state that chose freedom when the darkness of slavery divided our nation. A place where the world learned to fly and bounce a basketball – and the place where a boy born in a log cabin in Canada could grow up to be Speaker of the Kansas House.

Yes, Kansas is a special place - and it is our home.

When our country seems adrift, Kansas leads to the stars through difficulty.

In an era when many believe America has lost its way, Kansans know the difficult path that the Nation must take.

It is the well-worn sod tracks of hard work, thrift, patience, perseverance, faith, sacrifice and family that will get us where we want our country to be.

And as has been our tradition since before statehood, our place, Kansas, will not be timid in doing what is right, even if much of the Nation takes another way.

Where others choose to raise taxes, we will lower them so our people have more money, not the government.

Where other governments expand, we grow smaller.

Where others choose to grow spending, Kansas grows jobs.

In important ways, our state is going against the tide and reflecting more of the values of the Greatest Generation, the World War II generation, more than my own.

Where some accept the breakdown of the family as unavoidable, we push back, knowing that strong families and healthy marriages are the best guarantee for the future of our kids.

Where some walk away from our Nation's motto, we embrace it as a part of the

pioneering spirit...”In God We Trust.”

Yes, Kansas is a special place.

When I started as governor, we began the fiscal year with \$876.05 in the bank and a projected deficit of \$500 million - even after taxes had been increased.

Working with the legislature, we ended last fiscal year with a \$500 million ending balance...a billion dollar swing to the good AND we paid off all of our callable bonds!

The last decade was unfortunately a lost decade where Kansas lost thousands of private sector jobs while the rest of America grew. In December 2010, our unemployment rate was seven percent.

Today our state’s unemployment rate is 5.4 percent – the 10th lowest in America - and Wichita State University projects we will add more than 24,000 private sector jobs in the state this year alone.

When I started as governor, we had the highest state income tax in the region, now we have the 2nd lowest and I want us to take it to zero. Look out Texas, here comes Kansas!

In the previous decade, we had population losses of more than ten percent in nearly half of our counties. Today we are adding hundreds of new Kansans in many of our rural counties. Communities like Colby are actually adding kindergarten classes for the first time in years.

Kansas has been blessed.

Although the current drought is harsh, our reservoirs and aquifers continue to give us the water we need. But now they need attention. Several of our reservoirs and many of our lakes need dredging from siltation. The Ogallala Aquifer needs local action to reduce its use and save some of it for future generations.

Our forefathers and mothers sacrificed to provide for us. Now we must prepare and in cases, sacrifice so our children and grandchildren will be provided for. We will go forward by simply doing the right things for our children.

Preparing Children for 21st Century Careers/Reading/Families

For one, we must reduce childhood poverty. Trillions of dollars have been spent since President Johnson first declared our country’s war on poverty. Yet, childhood poverty rates nationwide have remained virtually unchanged at more than 23 percent.

We need a new strategy. Kansans intuitively know what the Brookings Institute has reported - that the best way to combat childhood poverty is through effective education, jobs and family.

A key to a child’s success is the ability to read.

This morning, 40,000 Kansas children woke up, got dressed, and went to kindergarten.

They are the class of 2025. They are the future of Kansas.

Being able to read is one of the greatest gifts we can give these children. Yet – 29 percent of Kansas 4th graders can't read at a basic level. A goal of my administration is to ensure each of the 40,000 kindergartners is able to read proficiently by the time they reach 4th grade.

That is why I am proposing the **Kansas Reads to Succeed** initiative. This proposal has three components.

First, it will provide \$12 million to support innovative programs to help struggling readers.

Second, it will provide incentives to elementary schools that most successfully increase 4th grading reading scores.

Third, it will require 3rd grade students to demonstrate an ability to read before being promoted to the 4th grade.

Passing children up the grade ladder when we know they can't read is irresponsible - and cruel. We will do better.

Jobs and Economic Growth

It's never easy being a mom or a dad. But it gets even harder if one or both parents are not able to get a decent job. Our road map for Kansas is focused on the economic growth of our state so employment can expand and families can prosper.

Last year the Kansas Legislature passed the largest tax cut in state history. Tonight we are here to take another step on our path to no state income tax. This will create jobs and opportunities in our state that the current generation has left for Texas or Florida to find.

By making government more efficient and growing our economy, we can keep the sales tax flat at its current level and cut income taxes on our lower income working families to 1.9 percent and drop the top rate to 3.5 percent. This glide path to zero will not cut funding for schools, higher education or essential safety net programs.

And for those who come or stay in Kansas because of lower taxes, opportunities abound.

- An all-time record of more than 15,000 new businesses formed in 2012 – a sign of strong economic growth.
- We are the Air Capital of the world. Our aircraft industry is back on the ascent -and Southwest Airlines is soon to land in Wichita.
- We are the Nation's breadbasket and its meat counter and are becoming its dairy section as well.

- Our oil production is hitting a high not seen in more than a decade with billions of dollars in new investment in vertical and horizontal drilling.
- We are number one in new wind energy with nearly three billion dollars of new investment last year alone and more to come.
- Our rapidly growing animal health sector that stretches from K-State in Manhattan to Johnson County grabs a significant share of the global industry.
- We provide engineering, architecture and other services to people everywhere.

Our new pro-growth path is a path home for our children. Part of our strategy will involve encouraging, not destroying families. We will help families economically, educationally, and socially. It will involve local efforts of intensive support, mentoring and pushing people to the job market, not another government program. We look forward to continuing our partnership with the Casey Family Programs as we strive toward reaching these goals.

Two Year Budget

Just as families must budget, the state of Kansas must prioritize its budget as well. Fiscal discipline has seemingly become a lost art in government.

Our schools only get 54-cents of every valuable education dollar into the classroom. This at a time when we put more state money into K-12 per capita than any surrounding state...and when total spending averages more than \$12,600 per student per year.

We seem to focus only on how much money is appropriated, not on whether it is effectively spent. This must change and that change is happening in our Administration.

I am submitting to this Legislature a full two-year budget recommendation, with substantial focus on efficiency and effectiveness.

- This two-year budget is balanced.
- It protects base aid and increases total state funding for K-12 schools.
- It maintains stable funding for higher education.
- It provides funding to educate 50 additional medical doctors every year at a new, state-of-the-art medical training building at the University of Kansas Medical Center. We want the highest quality health care for all Kansans.
- This two-year budget provides essential services for our most needy Kansans.
- It funds a new crime lab and training facility for our state's law enforcement on the campus of Washburn University.
- It fully funds our state's infrastructure investments through T-WORKS.

Additionally, both my 2014 and 2015 budgets provide a 7.5 percent ending balance - without cutting core services. This stands in stark contrast to the \$876 in the state treasury in July of 2010. Make no mistake; I believe in fiscal discipline and adequate cash balances.

Government Reform

Trends matter, and for years Kansas has consistently progressed to larger government, higher taxes, and unfortunately – though perhaps not surprisingly – more of our citizens leaving. We are changing these trends.

My administration has worked to restructure and reform state government to be more efficient and more effective. But there is a lot more we can do.

One of the clearest examples of duplication in state government is the fact that we have two highway departments: the Kansas Department of Transportation and the Kansas Turnpike Authority.

It is time that we realize the efficiencies to be gained by placing these two operations under the same umbrella. We don't need two highway departments in Kansas. One is enough.

By bringing these two large organizations together under the direction of the Secretary of Transportation, we will serve the public better and more efficiently.

Yes, trends matter, but principles matter even more.

In the democratic system of checks and balances crafted by our Founding Fathers, the power to authorize spending public money was given exclusively to you, the Legislative branch. This is a core principle.

The “power of the purse” is the primary power of the Legislature, not the Executive or the Judiciary.

For the last two years – you, the Legislature, have proven that you can increase state support for education while pursuing pro-growth economic policy. Balancing a wide range of public priorities is one of the strengths of our representative system.

And so I ask you to make it clear in law that defining what is “suitable provision” for public funding of education is a job for the people's elected representatives – and no one else.

Kansans expect and are entitled to a government that is not beholden to any special interest group.

The guiding principle of our American democracy must be that every citizen stands equal before the law, be they governor or farmer, lawyer or teacher. Unfortunately, our current system of selecting our appellate judges fails the democratic test.

Rather than giving an equal voice to all Kansans in the selection of our judges, Kansas is the only state that allows a special interest group to control the process of choosing

who will be our appellate judges. That is not as it should be. Here, the people rule.

Now I didn't realize this but Kansas use to elect our state Supreme Court. I would be supportive of returning to that system or going to the federal model of judicial selection. Either passes the democracy test that the current system fails.

Guidance for Legislators

I mentioned at the outset that many of you are new to the Legislature. That's a good thing. The Framers of our Constitution intended frequent rotation in public office, providing valuable new perspective. Yet there's no teacher like experience and no danger greater than pride.

With that in mind, please permit some advice from one who was a freshman legislator just 18 short years ago.

First - value relationships. I treasure the relationships I am fortunate to have with other people.

One of those relationships was with Paul Wellstone, the wonderful liberal Senator from Minnesota. In 1998, Paul and I co-authored the legislation which started America's efforts to fight human trafficking---work we have a chance to build on in this Kansas session. Paul and his wife died in a plane crash in 2002.

Others took up his work in the Senate, but the loss was the departure of Paul, a beautiful soul.

Cherish people and your relationships with them. They are more important than politics or policy.

Second - learn everything you can from those who have come before you. Those people know more than you can imagine, and if you take the time to listen to them, you'll learn a lot.

For me, my mentors have included our own Kansas treasures---Pat Roberts and Bob Dole... I also learned a lot from Senators Pat Moynihan, Phil Gramm, and Ted Kennedy.

For you, it needn't be someone from your part of the state, or even from your party. In fact, you'll probably learn more if it's not. And of all those you could learn from, may I suggest paying particular attention to a teacher?

Will you join me in honoring a man who has spent more time in this Capitol than any other legislator in Kansas history – beginning his 37th year in the Kansas Legislature - the Senator from Shawnee, Anthony Hensley.

And another person you can learn a lot from who has worked in the statehouse even longer than Senator Hensley is Don Wistuba. Don has operated the statehouse snack shop since 1976. He greets each day as a gift from God – and he truly is a gift of joy to the Capitol. Don, would you please stand up and take a bow.

Lastly, measure your time here not by the loud volume of the positions you take but by the service you give. Learn the facts, stand up for what you think is right and fight hard. But remember, today's opponent is tomorrow's ally and nobody, not even Coach Snyder or Coach Self, wins every game.

Listen, learn, and lead so that we may move forward together towards a more prosperous, more just, more decent Kansas.

Kansas is the heart of America. Let's make our place a shining example for the Nation to follow.

It is within our reach to see that our children can read.

It is within our reach to strengthen marriages and families.

It is within our reach to reduce taxes.

It is within our reach to lead in job growth and energy independence.

It is within our reach to balance our budget and meet the needs of our people.

Our place, Kansas, will show the path, the difficult path, for America to go in these troubled times.

Like Kansas Newspaper publisher William Allen White once said, "*...There is just one way to stop progress in America; and that is to hire some hungry earthquake to come along and gobble up Kansas.*"

We have been placed here for a reason and our season is short. Let us build a better state and do it now. Thank you, may God bless you and may God continue to bless the state of Kansas.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 16, 2013.

Journal of the House

THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 16, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Reps. Carpenter, Gandhi, Montgomery and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
as we come before You today,
we recognize a lot of change has come our way.
The first time legislators number forty-nine—
all learning the ropes and how to walk the line.
Help them in these first few weeks,
to remember all procedures they must keep.
It can be quite overwhelming from time to time,
sometimes feeling like huge hills to climb.
Help our veterans be willing to lend a hand
because at one time, this novelty, they too had to withstand.
However, I have noticed, Lord, that some things never change,
of this I guess we shouldn't think too strange—
for once again we have a Jayhawk Speaker and a Wildcat Chaplain—
so let the friendly competition begin.
Like the two-party system, it helps keep a balance,
but trusting in You is where we seek our guidance.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Proehl.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2012, AN ACT concerning public records; relating to legislative review of exceptions to disclosure; amending K.S.A. 2012 Supp. 45-229 and repealing the existing section, by Committee on Judiciary.

HB 2013, AN ACT concerning crimes and punishment; relating to perjury; amending K.S.A. 2012 Supp. 21-5903 and repealing the existing section, by Committee on Judiciary.

HB 2014, AN ACT concerning inheritance rights; relating to revocation upon divorce, by Committee on Judiciary.

HB 2015, AN ACT concerning domestic relations; relating to marital property; amending K.S.A. 2012 Supp. 23-2601 and repealing the existing section, by Committee on Judiciary.

HB 2016, AN ACT concerning judges of the district court; relating to the reassignment of positions; amending K.S.A. 20-327, 20-333, 20-336, 20-348, 20-354 and 20-2908 and repealing the existing sections; also repealing K.S.A. 20-301b, 20-338 and 20-354a, by Committee on Judiciary.

HB 2017, 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. 2012 Supp. 22-3424, 22-3436, 22-3609 and 74-7301 and repealing the existing sections, by Committee on Judiciary.

HB 2018, AN ACT concerning state agencies; relating to acceptable methods of payment for certain educational institutions; amending K.S.A. 2012 Supp. 75-30,100 and repealing the existing section, by Committee on Judiciary.

HB 2019, AN ACT concerning the court of appeals; relating to appointment of judges by the governor; amending K.S.A. 20-3006 and 20-3010 and K.S.A. 2012 Supp. 20-3002 and repealing the existing sections; also repealing K.S.A. 20-3004, 20-3005, 20-3007, 20-3008 and 20-3009, by Committee on Judiciary.

HB 2020, AN ACT concerning the court of appeals; relating to election of judges; campaign finance act coverage; amending K.S.A. 25-2505 and K.S.A. 2012 Supp. 20-3002 and repealing the existing sections; also repealing K.S.A. 20-3004, 20-3005, 20-3006, 20-3007, 20-3008, 20-3009 and 20-3010, by Committee on Judiciary.

HB 2021, AN ACT authorizing the conveyance of certain real property; authorizing the state board of regents to sell and convey, or exchange with the Emporia state university foundation, certain real estate and authorizing the acceptance and conveyance of certain real estate owned by the Emporia state university foundation to the state board of regents, by Legislative Educational Planning Committee.

HOUSE CONCURRENT RESOLUTION No. **HCR 5002**—

By Committee on Judiciary

A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

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: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 3.—JUDICIAL

"§ 1. Judicial power; seals; rules. The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

"§ 2. Supreme court. The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

"§ 3. Jurisdiction and terms. The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

"§ 4. Reporter; clerk. There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

"§ 5. Selection of justices of the supreme court. (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open on the supreme court as a result of enlargement of such court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60

days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) (1) Each justice of the supreme court appointed pursuant to subsection (a) and consented to pursuant to subsection (b) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any justice of the supreme court, the justice may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the justice shall be vacant upon the expiration of the justice's term of office. If such declaration is filed, the justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the justice in office, the position which the justice holds shall be vacant upon the expiration of the justice's term of office. Otherwise, unless the justice is removed for cause, the justice shall remain in office for the regular term of six years from the second Monday in January following the election. At the expiration of each term, unless by law the justice is compelled to retire, the justice shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

"§ 6. Court of appeals. (a) (1) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(4) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) No person appointed pursuant to subsection (a) shall assume the office of judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) (1) Each judge of the court of appeals appointed pursuant to subsection (a) and consented to pursuant to subsection (b) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of the term of any judge of the court of appeals, the judge may file in the office of the secretary of state a declaration of candidacy for retention in office. If a declaration is not filed as provided in this section, the position held by the judge shall be vacant upon the expiration of the judge's term of office. If such declaration is filed, the judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining the judge in office, the position which the judge holds shall be vacant upon the expiration of the judge's term of office. Otherwise, unless the judge is removed for cause, the judge shall remain in office for the regular term of four years from the second Monday in January following the election. At the expiration of each term, unless by law the judge is compelled to retire, the judge shall be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of judge of the court of appeals prior to the expiration of four years after the expiration of the judge's term of office.

(d) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(e) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 7. District courts. (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 8. Qualifications of justices and judges. Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

"§ 9. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed or retained under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

"§ 10. Extension of terms until successor qualified. All judicial officers shall

hold their offices until their successors shall have qualified.

"§ 11. Compensation of justices and judges; certain limitation. The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

"§ 12. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

"§ 13. Savings clause. Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

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 place the law concerning the court of appeals into the constitution and to do away with the supreme court nominating commission. The governor will appoint a qualified person, or if the governor fails to act, the chief justice of the supreme court would appoint a qualified person, and such person's appointment would be required to be confirmed by the senate. A procedure is established whereby senate confirmation would occur within 60 days of receiving the appointment. If the senate does not confirm the appointment a majority vote, the governor would then appoint another qualified person, and such person's appointment would again go to the senate for confirmation. The same appointment and confirmation procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it will be considered that the senate has confirmed the appointment.

"A vote for this proposition would provide a procedure whereby the governor or chief justice would appoint a person to be a supreme court justice or court of appeals judge and the senate, by majority vote, would confirm the appointment of the supreme court justice or court of appeals judge.

"A vote against this proposition would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons."

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 on 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 of the state at the election in August in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5003**—
By Committee on Judiciary

A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

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: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 3.—JUDICIAL

"§ 1. Judicial power; seals; rules. The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

"§ 2. Supreme court. The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

"§ 3. Jurisdiction and terms. The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate

jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

"§ 4. Reporter; clerk. There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

"§ 5. Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement, resignation or removal of a justice, shall be filled by election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of justices of the supreme court. Each justice of the supreme court elected as provided by law shall hold office for a term of six years which term shall commence on the second Monday in January following the general election. Justices of the supreme court may seek reelection.

(b) Each justice in office at the time this amendment takes effect shall hold office for the term for which such justice was retained in office by election, or hold office for the initial term for which such justice was appointed, and until a successor is elected and qualified. The office which such justice holds shall be open upon the expiration of such justice's term of office, or upon the retirement, resignation or removal of such justice, whichever occurs first. Such justice shall be eligible for election to such office in the manner prescribed in this section, unless by law such justice is compelled to retire or such justice retired, resigned or was removed from such office.

"§ 6. Court of appeals. (a) The court of appeals shall consist of 14 judges whose positions shall be numbered one to 14. Any vacancy occurring in the office of any judge of the court of appeals and any position to be open thereon as a result of enlargement of the court, or the retirement, resignation or removal of a judge, shall be filled by election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of judges of the court of appeals. Each judge of the court of appeals elected as provided by law shall hold office for a term of six years which term shall commence on the second Monday in January following the general election. Judges of the court of appeals may seek reelection.

(b) Each judge in office at the time this amendment takes effect shall hold office for the term for which such judge was retained in office by election, or hold office for the initial term for which such judge was appointed, and until a successor is elected and qualified. The office which such judge holds shall be open upon the expiration of such judge's term of office, or upon the retirement, resignation or removal of such judge, whichever occurs first. Such judge shall be eligible for election to such office in the manner prescribed in this section, unless by law such judge is compelled to retire or such judge retired, resigned or was removed from such office.

(c) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(d) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 7. District courts. (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 8. Qualifications of justices and judges. Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

"§ 9. Prohibition of political activity by certain judges. No judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

"§ 10. Extension of terms until successor qualified. All judicial officers shall hold their offices until their successors shall have qualified.

"§ 11. Compensation of justices and judges; certain limitation. The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

"§ 12. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme

court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

"§ 13. **Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

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 place the law concerning the court of appeals into the constitution, to do away with the supreme court nominating commission and to provide for election of justices of the supreme court and judges of the court of appeals. Future justices and judges would be elected in partisan, statewide elections. Each justice and judge elected would hold office for a term of six years and would be allowed to seek reelection.

"A vote for this proposition would cause justices of the supreme court and judges of the court of appeals to be elected in partisan, statewide elections for terms of six years.

"A vote against this proposition would continue the current system in which justices of the supreme court and judges of the court of appeals are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission."

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 on 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 of the state at the election in August in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—

By Committee on Judiciary

A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

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: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 3.—JUDICIAL

"§ 1. Judicial power; seals; rules. The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

"§ 2. Supreme court. The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

"§ 3. Jurisdiction and terms. The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

"§ 4. Reporter; clerk. There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

"§ 5. Selection of justices of the supreme court. (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(2) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the

appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each justice of the supreme court appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such justice's term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such justice shall be open from the expiration of such justice's term of office. If such declaration is filed, such justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such justice in office, the position or office which such justice holds shall be open upon the expiration of such justice's term of office; otherwise such justice shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term such justice shall, unless by law such justice is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court and any judge of the court of appeals is hereby established, and shall be known as the "supreme court nominating commission." The commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows:

(1) One member from each congressional district who is an attorney, chosen from among their number by the resident members of the bar in each such district;

(2) five members appointed by the governor as follows: One member from each congressional district; and one member from the state as a whole who shall serve as the non-voting chairperson of the commission; and

(3) six members appointed by the legislature as follows: Two by the president of the senate; two by the speaker of the house of representatives; one by the minority leader of the senate; and one by the minority leader of the house of representatives.

(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) No member of the supreme court nominating commission shall, while a

member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court or judge of the court of appeals. The commission may act only by the concurrence of a majority of its members.

"§ 6. Court of appeals. (a) (1) The court of appeals shall consist of not less than 14 judges. Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established by section 5 of this article.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each judge of the court of appeals appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such judge's term of office, any judge of the court of appeals may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such judge shall be open from the expiration of such judge's term of office. If such declaration is filed, such judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such judge in office, the position or office which such judge holds shall be open upon the expiration of such judge's term of office; otherwise such judge shall, unless removed for cause, remain in office for the regular term of four years from the second Monday in January following such election. At the expiration of each term such judge shall, unless by law such judge is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of judge of the court of appeals prior to the expiration of four years after the

expiration of the judge's term of office.

(c) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

(d) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 7. District courts. (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 8. Qualifications of justices and judges. Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

"§ 9. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed or retained under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

"§ 10. Extension of terms until successor qualified. All judicial officers shall hold their offices until their successors shall have qualified.

"§ 11. Compensation of justices and judges; certain limitation. The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all

salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

"§ 12. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

"§ 13. Savings clause. Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; or (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

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 place the law concerning the court of appeals into the constitution and to change the membership of the supreme court nominating commission. This amendment would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would change to: Four attorney members, one attorney selected from each congressional district by the resident members of the bar in each such district; five members appointed by the governor as follows: One member from each congressional district; and one member from the state as a whole who shall serve as the non-voting chairperson of the commission; and six members appointed by the legislature as follows: Two by the president of the senate; two by the speaker of the house of representatives; one by the minority leader of the senate; and one by the minority leader of the house of representatives.

"A vote for this proposition would place the law concerning the court of appeals into the constitution and continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would change to: Four attorney members, one attorney selected from each congressional district by the resident members of the bar in each such district; five members appointed by the governor, one member from each congressional district and one member from the state as a whole who shall serve as the non-voting chairperson of

the commission; and six members appointed by the legislature.

"A vote against this proposition would leave the law concerning the court of appeals in the Kansas statutes and continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Commission membership would remain: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district."

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 on 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 of the state at the general election in November in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

COMMUNICATIONS FROM STATE OFFICERS

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concerns, 2012 annual report and 2013 legislative initiatives.

From Kansas Department of Transportation, Quarterly Report for quarter ending December 2012.

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

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 17, 2013.

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 17, 2013, 11:00 a.m.

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

The roll was called with 121 members present.

Rep. Lane was excused on verified illness.

Reps. Henry, Montgomery and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,
as we approach You today,
remind us early on in this session that
there is never any harmony between:
servanthood and arrogance,
leadership and passivity,
relationships and unkindness
achievement and complacency.
“Show *us* Your ways, O Lord, teach *us* Your paths:
guide *us* in Your truth and teach *us*,
for You are God *our* Savior,
and *our* hope is in You all day long.”
(Ps. 25:4-5)
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hermanson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2022, AN ACT concerning certain deductions from wages; amending K.S.A. 2012 Supp. 44-319 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2023, AN ACT concerning certain employee organizations; relating to political activities; amending K.S.A. 75-4333 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2024, AN ACT enacting the Kansas roofing contractor registration act, by

Committee on Commerce, Labor and Economic Development.

HB 2025, AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2012 Supp. 39-7,160 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 39-7,161 and 46-3501, by Committee on Health and Human Services.

HB 2026, AN ACT concerning retail sales of mobile communication devices, by Committee on Judiciary.

HB 2027, AN ACT concerning secondhand stores, by Committee on Judiciary.

HB 2028, AN ACT concerning forfeiture; relating to venue in forfeiture proceedings; amending K.S.A. 60-4103 and repealing the existing section, by Committee on Judiciary.

HB 2029, AN ACT concerning the Kansas program of medical assistance; relating to the intellectual or developmental disability home and community based services waiver; amending K.S.A. 39-7,100 and 39-1804 and repealing the existing sections, by Representative Ward.

HB 2030, AN ACT concerning hunting, relating to deer permits; amending K.S.A. 2012 Supp. 32-971 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2031, AN ACT concerning sales and use taxation; relating to distribution of revenue; the state water plan fund; amending K.S.A. 70a-105, 82a-951, 82a-1305, 82a-1311a, 82a-1316 and 82a-1317 and K.S.A. 2012 Supp. 2-1205, 2-2204, 65-163, 75-5133, 79-3603, 79-3620, 79-3703, 79-3710, 79-4804, 82a-734, 82a-1306, 82a-1308a, 82a-1315a, 82a-1315b, 82a-1349, 82a-1801 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-5133b, 82a-953a, 82a-954 and 82a-1315c, by Committee on Agriculture and Natural Resources.

HOUSE CONCURRENT RESOLUTION No. **HCR 5005**—

By Committee on Judiciary

A PROPOSITION to amend sections 2, 5 and 8 of article 3 of the constitution of state of Kansas; relating to the selection and term of office of supreme court justices.

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: Sections 2, 5 and 8 of article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 2. Supreme court. (a) The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. ~~The term of office of the justices shall be six years except as hereinafter provided.~~ The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning

from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

(b) *Justices of the supreme court: (1) Shall hold their offices during good behavior; (2) shall be subject to the retirement, discipline and removal for cause provisions of section 15 of article 3 of the constitution of the state of Kansas; and (3) shall not be subject to a retention election.*

"§ 5. Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file his declaration of candidacy to succeed himself as hereinafter required, or failure of a justice to be elected to succeed himself, shall be filled by appointment by the governor, with the consent of the senate, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(b) In event of the failure of the governor to make the appointment within sixty 60 days from the time the names of the nominees are submitted to him the governor, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate.

(c) Each justice of the supreme court appointed pursuant to provisions of subsection (a) of this section shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of twelve months in office. Not less than sixty days prior to the holding of the general election next preceding the expiration of his term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to succeed himself. If a declaration is not so filed, the position held by such justice shall be open from the expiration of his term of office. If such declaration is filed, his name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows: "Shall

(Here insert name of justice.)

(Here insert the title of the court.)

be retained in office?"

If a majority of those voting on the question vote against retaining him in office, the position or office which he holds shall be open upon the expiration of his term of office; otherwise he shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term he shall, unless by law he is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section. Whenever a vacancy occurs or will occur or a position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(d) No person appointed pursuant to subsection (a) or (b) of this section shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment

not later than 30 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 30-day time limitation, the president of the senate shall convene the senate for the sole purpose of voting on such appointment and no other action shall be in order during such session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 30 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, whose name has been submitted to the governor by the supreme court nominating commission, and such subsequent appointment shall be considered by the senate by the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has previously been appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the 30-day time limitation set forth herein, the senate shall be deemed to have given consent to such appointment.

(e) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." ~~Said~~ *Such* commission shall be organized as hereinafter provided.

~~(e)~~ (f) The supreme court nominating commission shall be composed as follows: ~~One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district. Three members shall be appointed by the speaker of the house of representatives, three members shall be appointed by the president of the senate and three members shall be appointed by the governor. All members shall be residents of Kansas. At least one member appointed by the speaker of the house of representatives, at least one member appointed by the president of the senate and at least one member appointed by the governor shall be members of the bar in good standing and licensed in Kansas. The governor shall appoint one of the nine members of the supreme court nominating commission to serve as such commission's chairperson.~~

(f) (g) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

~~(g)~~ (h) No member of the supreme court nominating commission shall, while ~~he is~~ a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members.

(i) *No justice of the supreme court serving on the supreme court on the date of ratification of this amendment by the electors of the state shall be required to stand for a retention election in order to be retained in office on such date or anytime thereafter.*

"§ 8. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed ~~or retained~~ under the procedure of section 5 of this article, nor any judge of the district court holding office under a nonpartisan method

authorized in subsection (a) of section 6 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign."

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 allow the governor to appoint a qualified person to the office of justice of the supreme court, and such person's appointment would be required to be consented to by the senate. If the governor fails to act, the chief justice of the supreme court would appoint a qualified person, and such person's appointment would also be required to be consented to by the senate. The nonpartisan supreme court nominating commission membership would be changed to include appointments by the speaker of the house of representatives and the president of the senate. The gubernatorial appointments to the commission would be reduced from four members to three members. The members of the bar would no longer elect members of the commission. The commission would continue to nominate three persons for appointment by the governor. A procedure is established whereby senate consent would occur within 30 days of receiving the appointment. If the senate does not consent by a majority vote, the governor would then select an appointment which would again go to the senate for consent. The same appointment and consent procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 30 days, it will be considered that the senate has consented to the appointment. Further, the supreme court justices would hold the office during good behavior, be subject to the retirement, discipline and removal for cause provisions of section 15 of article 3 of the Kansas constitution and would no longer be subject to a retention election.

"A vote for this proposition would provide a procedure whereby the governor or chief justice would appoint a person to be a supreme court justice and the senate, by majority vote, would consent to the appointment of supreme court justices. The supreme court nominating commission would continue to nominate three qualified persons to the governor. The supreme court justices would hold the office during good behavior, be subject to the retirement, discipline and removal for cause provisions of section 15 of article 3 of the Kansas constitution and would no longer be subject to a retention election.

"A vote against this proposition would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court and the governor appoints one of such persons. Further, the justices of the supreme court would continue to hold six-year terms and be subject to retention elections."

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 on 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 of the state at the election in August of the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Corrections and Juvenile Justice: **HB 2013**.

Education Budget: **HB 2018**.

General Government Budget: **HB 2021**.

Judiciary: **HB 2012, HB 2014, HB 2015, HB 2016, HB 2017, HB 2019, HB 2020; HCR 5002, HCR 5003, HCR 5004**.

COMMUNICATIONS FROM STATE OFFICERS

From Gary Harshberger, Chair, Kansas Water Authority, 2013 Annual Report to the Governor and Legislature.

From Kansas Employment First Oversight Commission, pursuant to K.S.A. 44-1136 to 44-1138, Kansas Employment First Initiative Act, Annual Report to the Governor and Kansas Legislature, December 31, 2012.

From Gary Alexander, Vice President of Academic Affairs, Kansas Board of Regents, pursuant to KSA 76-717, Annual Report on Implementation of Qualified Admissions.

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 **SCR 1604**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate concurrent resolution was thereupon introduced and read by title:

SCR 1604.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, January 18, 2013.

Journal of the House

FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 18, 2013, 8:00 a.m.

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

The roll was called with 109 members present.

Reps. Ballard, Brunk, Christmann, Hedke, Henderson, Henry, Hermanson, Huebert, Johnson, Montgomery, Peck, Peterson, Rhoades, Ruiz, Shultz and Siegfried were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Good morning, Lord—
and yes, I still think good and morning is an oxymoron.
But here we are getting an early start to the day.
so that for the long weekend, we can get on our way.

Thank you for:
Your faithfulness in this very busy first week;
for all that has been accomplished;
and for all that we have learned.
Now, Yahweh-shalom – God of Peace,
may Your peace be with us.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Gonzalez.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2032, AN ACT concerning social welfare; relating to eligibility requirements for the Kansas program of medical assistance; amending K.S.A. 2012 Supp. 39-709 and repealing the existing section, by Representative Ward.

HB 2033, AN ACT concerning regulation of knives; relating to carrying or using weapons; amending K.S.A. 2012 Supp. 21-6301 and 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2034, AN ACT concerning criminal procedure; relating to the use of tracking devices by law enforcement; relating to search warrants; amending K.S.A. 22-2503 and 22-2506 and K.S.A. 2012 Supp. 22-2502 and repealing the existing sections, by

Committee on Corrections and Juvenile Justice.

HB 2035, AN ACT concerning education requirements for certain contractors; amending K.S.A. 2012 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing sections, by Representative Weber.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2030, HB 2031.**

Commerce, Labor and Economic Development: **HB 2022, HB 2023, HB 2024, HB 2027.**

Health and Human Services: **HB 2025, HB 2029.**

Judiciary: **HB 2028; HCR 5005.**

Rules and Journal: **SCR 1604.**

Utilities and Telecommunications: **HB 2026.**

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002, HR 6003 reported correctly enrolled and properly signed on January 18, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 22, 2013.

Journal of the House

SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 22, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Rep. Henry was excused on legislative business.

Reps. Ballard, Claeys and Peterson were excused on excused absence by the Speaker.

Prayer by Guest Chaplain, the Rev. Andy Inskeep, Youth Pastor, Fairlawn Church of the Nazarene, Topeka:

Dear God,

Thank you for the diversity that you have created whether through beautiful elements of the created world such as a sunrise, fruit, flat land, hills. Thank you for the diversity in the personalities and the background of those here today and those we are representing. In the midst of a great awareness of our diversity, God, help us to recognize the things that unify and draw us together.

As this legislative body meets this morning I ask you give them the ability to truly listen and value one another. As the writer of Proverbs said, "Answering before listening is both stupid and rude." (Proverbs 18:13 MSG)

Help us to not just assume the point one another is making but to truly listen and also hear the heart behind what is being said. Give us the creativity, God, to think of new ways to come to agreement or to solve the problems that our state faces.

Lord, give us the guidance that we need here today. Let our decisions not just be what we think is best but led and brought about by You. Give us the wisdom that can only come from You and for which only You can truly receive the credit.

Finally, God, I ask that You will help us treat one another with love today. Let this not be just our assembly decorum. As many meetings and tasks may fill up our afternoon and evenings, God help us to remember what truly matters. Help

us in our interactions throughout the day let your selfless love transform us to love another in such a way.

Comfort the family of Representative Ruiz on the loss of his brother.

In the name of My Lord and Savior Jesus I pray, Amen.

The Pledge of Allegiance was led by Rep. Schroeder.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2036, AN ACT concerning the uniform consumer credit code; relating to payday loans; amending K.S.A. 16a-2-404 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2037, AN ACT concerning public property; relating to historic and religious displays, by Committee on Federal and State Affairs.

HB 2038, AN ACT concerning elections; concerning citizenship requirements; amending K.S.A. 2012 Supp. 25-2309 and 65-2418 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2039, AN ACT establishing the fair elections act; dealing with the secretary of state; prohibiting certain political activities, by Representative Ward.

HB 2040, AN ACT concerning certain addresses to the legislature; amending K.S.A. 20-101 and 75-102 and repealing the existing sections, by Representative Ward.

HB 2041, AN ACT concerning criminal history record information; definition; relating to municipal court reporting; district court reporting; amending K.S.A. 2012 Supp. 12-4106, 22-4701 and 22-4704 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2042, AN ACT concerning property appraisal and taxation.; amending K.S.A. 79-1475 and K.S.A. 2012 Supp. 74-2433f, 79-1448, 79-1460, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, by Committee on Taxation.

HB 2043, AN ACT concerning crimes and punishment; relating to aggravated battery; driving under the influence; amending K.S.A. 2012 Supp. 21-5413 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2044, AN ACT concerning crimes and punishment; relating to distribution of controlled substances causing death or great bodily harm, by Committee on Corrections and Juvenile Justice.

HB 2045, AN ACT concerning driving privileges; imposing school attendance and minimum grade point average requirements upon certain persons; amending K.S.A. 2012 Supp. 8-255 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2046, AN ACT concerning motor vehicles; relating to golf carts; amending K.S.A. 2012 Supp. 8-126, 8-1495 and 8-15,108 and repealing the existing sections, by Committee on Transportation.

HB 2047, AN ACT concerning property taxation; relating to revenues produced by property tax levies; votes to increase revenues; publication; amending K.S.A. 2012 Supp. 79-2925b and repealing the existing section, by Committee on Taxation.

HB 2048, AN ACT concerning sales taxation; relating to exemptions; Jackson county fair association; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2034**.

Federal and State Affairs: **HB 2033**.

Local Government: **HB 2035**.

Social Services Budget: **HB 2032**.

MESSAGE FROM THE GOVERNOR

Executive Reorganization Order No. 42 By Governor Sam Brownback January 18, 2013

Pursuant to Article 1, Section 6(b) of the Constitution of the State of Kansas, I am transmitting this day Executive Reorganization Order No. 42 to both houses of the Kansas Legislature. Simultaneously with this Order, I am transmitting the accompanying Governor's Message.

The post audit report regarding the Juvenile Justice Authority released this summer highlighted how the decades-old social services approach taken by policy makers and previous administrations failed to provide the safety and security that our juvenile offenders require and deserve. The audit clearly shows that juvenile offenders must be served by a professional corrections agency.

This re-organization calls for the facilities and programs administered by the Juvenile Justice Authority to be transferred to the Department of Corrections. Moving JJA to KDOC will increase the emphasis on safety while continuing to provide programs proven to get our youth back on the right path. It will also provide opportunities to strengthen public safety, build upon successes realized through a minimal administrative consolidation of functions two years ago, and provide for the unique needs of these two populations.

While there are some distinct differences in program needs and management strategies for juveniles, and we will continue the rehabilitation of the juvenile population, it is imperative that basic safety and security practices are routinely employed in correctional environments. Many steps have recently been taken to improve the quality of juvenile corrections and a consolidation will make both agencies stronger and better equipped to provide comprehensive corrections in the State of Kansas.

With a broader organizational base, we can focus on the work necessary to make the Kansas juvenile justice system a nationally-recognized model—one that promotes public safety through sound correctional practices and reduces recidivism through the provision of well researched, evidence-based services. The youth, families, staff, and citizens of the State of Kansas deserve nothing less.

My administration looks forward to working with the Kansas Legislature on this longer term, structural solution to the issues at JJA.

Executive Reorganization Order No. 42
By Governor Sam Brownback
Transmitted January 18, 2013

Section 1. (a) The Juvenile Justice Authority created by K.S.A. 75-7001, and amendments thereto, is hereby abolished.

(b) Except as otherwise provided by this order, all of the jurisdiction, powers, functions and duties of the juvenile justice authority and the commissioner of juvenile justice are hereby transferred to and conferred and imposed upon the department of corrections and the secretary of corrections.

(c) Except as otherwise provided by this order, the department of corrections and the secretary of corrections shall be the successor in every way to the jurisdiction, powers, duties and functions of the juvenile justice authority and the commissioner of juvenile justice in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such jurisdiction, powers, duties and functions by or under the authority of the department of corrections and the secretary of corrections shall be deemed to have the same force and effect as if performed by the juvenile justice authority or the commissioner of juvenile justice, respectively, in which such jurisdiction, powers, duties and functions were vested prior to the effective date of this order.

(d) Except as otherwise provided by this order, whenever the juvenile justice authority, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the department of corrections.

(e) Except as otherwise provided by this order, whenever the commissioner of juvenile justice, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary of corrections.

(f) All rules and regulations, internal management policies and procedures (IMPP), facility orders and post orders of the juvenile justice authority 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, internal management policies and procedures (IMPP), facility orders and post orders of the department of corrections until revised, amended, revoked, or nullified pursuant to law.

(g) All orders and directives of the juvenile justice authority or the commissioner of juvenile justice in existence on the effective date of this order shall continue to be effective and shall be deemed to be orders and directives of the department of corrections or secretary of corrections until revised, amended or nullified pursuant to law.

(h) On the effective date of this order, the department of corrections shall succeed to whatever right, title or interest the juvenile justice authority has acquired in any real property in this state, and the department of corrections shall hold the same for and in the name of the state of Kansas. On and after the effective date of this order, whenever

any statute, contract, deed or other document concerns the power or authority of the juvenile justice authority or the commissioner of juvenile justice to acquire, hold or dispose of real property or any interest therein, the department of corrections shall succeed to such power or authority.

(i) The department of corrections and the secretary of corrections shall be continuations of the juvenile justice authority and the commissioner of juvenile justice.

Section 2. (a) All officers and employees in the juvenile justice authority who, immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties, and functions transferred by this order, are hereby transferred to the department of corrections unless the secretary of corrections determines that some officers or employees are not performing necessary services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary of corrections may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(b) Officers and employees in the juvenile justice authority 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 juvenile justice authority prior to the date of transfer.

(c) The Memorandum of Agreement between the Kansas Juvenile Justice Authority and Kansas Department of Administration and Teamsters Union Local #696 that is in existence on the effective date of this order shall continue to be effective until revised, amended or nullified pursuant to the terms of the Memorandum of Agreement.

(d) The Memorandum of Agreement between the State of Kansas and the Kansas Organization of State Employees that is in existence on the effective date of this order shall continue to be effective until revised, amended or nullified pursuant to the terms of the Memorandum of Agreement.

Section 3. (a) When any conflict arises as to the disposition of any power, function or duty or the unexpended balance of any appropriation as a result of any abolition, transfer, attachment or change made by or under authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

(b) The department of corrections shall succeed to all property and records which were used for or pertain to the performance of the powers, duties and functions transferred to the department of corrections from the juvenile justice authority. Any conflict as to the proper disposition of property or records arising under this section, and resulting from the transfer or attachment of any state agency, or all or part of the powers, duties and functions thereof, shall be determined by the governor, whose decision shall be final.

Section 4. (a) The department of corrections shall have the legal custody of all records, memoranda, writings, entries, prints, representations or combinations thereof of any act, transaction, occurrence or event of the juvenile justice authority and any agency or office transferred thereto under previous law.

(b) 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.

(c) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this order.

Section 5. (a) On and after the effective date of this order, the balance of all funds appropriated and reappropriated to the juvenile justice authority or any juvenile correctional facility or program is hereby transferred to the department of corrections and shall be used only for the purpose for which the appropriation was originally made.

(b) Subject to the acts of the legislature, all fees, grant funds, and loan repayment funds in the juvenile justice authority dedicated to programs affected by this order shall be transferred to the department of corrections.

(c) On and after the effective date of this order, the liability for all accrued compensation or salaries of officers and employees who are transferred to the department of corrections under this order shall be assumed and paid by the department of corrections.

Section 6. (a) All jurisdiction, powers, functions and duties relating to juvenile correctional facilities and institutions as defined in K.S.A. 38-2302, and amendments thereto, are conferred and imposed upon the secretary of corrections to be administered within the department of corrections as provided by this order.

(b) The secretary of corrections may adopt rules and regulations for the government, regulation and operation of such institutions. The secretary of corrections may adopt rules and regulations relating to all persons admitted to such institutions.

(c) The secretary of corrections may enter into an educational services contract with a unified school district, another public educational services provider or a private educational services provider for an institution pursuant to competitive bids or by negotiation as determined by the secretary of corrections. Each such educational services contract is exempt from the competitive bid requirements of [K.S.A. 75-3739](#), and amendments thereto.

(d) The secretary of corrections shall not issue a pass, furlough or leave to any juvenile placed in an institution except as needed for such juvenile to obtain medical services or to reintegrate such juvenile into the community. If any juvenile is issued a pass, furlough or leave, such juvenile shall be accompanied by a staff member or other designated adult.

(e) The secretary of corrections shall implement an institutional security plan designed to prevent escapes and to prohibit contraband and unauthorized access to the institution and, within the limits of appropriations, construct perimeter fencing as required by the institutional security plan.

(f) The secretary of corrections, by rules and regulations, shall establish a rigid grooming code and shall issue uniforms to juvenile offenders in an institution.

(g) The Larned juvenile correctional facility shall be under the supervision and control of the secretary of corrections in accordance with K.S.A. 76-3203, and amendments thereto.

(h) The Kansas juvenile correctional complex shall be under the supervision and control of the secretary of corrections in accordance with K.S.A. 76-3203, and

amendments thereto.

(i) The department of corrections shall be the successor in every way to the jurisdiction, powers, duties, and functions of the juvenile justice authority pertaining to the programs and operation of juvenile correctional facilities and institutions. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department of corrections shall be deemed to have the same force and effect as if performed by the juvenile justice authority in which such powers, duties, and functions were vested prior to the effective date of this order.

Section 7. The secretary of corrections shall promulgate rules and regulations for the juvenile intake an assessment system and programs concerning juvenile offenders in accordance with K.S.A. 75-7023, and amendments thereto.

Section 8. The secretary of corrections shall administer the provisions of the revised Kansas juvenile justice code in accordance with K.S.A. 75-7024, and amendments thereto.

Section 9. The secretary of corrections shall administer regional youth care and rehabilitation facilities in accordance with K.S.A. 75-7025, and amendments thereto.

Section 10. The secretary of corrections shall administer supplemental youth care facilities in accordance with K.S.A. 75-7026, and amendments thereto.

Section 11. The secretary of corrections shall administer residential care facilities for children and youth established by and in accordance with K.S.A. 75-7028, and amendments thereto.

Section 12. The secretary of corrections shall administer community planning teams, juvenile justice programs, the juvenile justice community planning fund, and the juvenile justice community initiative fund in accordance with K.S.A. 75-7033, and amendments thereto.

Section 13. The secretary of corrections shall administer all grants under K.S.A. 75-7038 through 75-7053, and amendments thereto.

Section 14. The secretary of corrections shall administer community graduated sanctions and prevention programs and the community advisory committee in accordance with K.S.A. 75-7056, and amendments thereto.

Section 15. The Kansas advisory group on juvenile justice and delinquency prevention will report to the secretary of corrections in accordance with K.S.A. 75-7007, and amendments thereto.

Section 16. 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, 2013, 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 18th day
of January 2013.

BY THE GOVERNOR:
SAM BROWNBACK

KRIS W. KOBACH

Secretary of State

BRAD BRYANT

Assistant Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

From State Board of Indigents' Defense, Annual Report, Fiscal Year 2012.

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

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 23, 2013.

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 23, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Carpenter, Claeys, Peterson, Ruiz and Swanson were excused on excused absence by the Speaker.

Prayer by guest chaplain, William D. Jenkins, State Chaplain, Kansas National Guard, Topeka:

In the Holiness of Your Name on this Military Appreciation Day, we invoke Your Presence on this session of the House by thanking You for all of our Service men and women across each of our Military branches and their respective components. We are particularly mindful of those who are deployed this day and we pray for them and their families; we are also mindful of our Wounded Warriors and pray Your blessing upon their lives and those who support them. For each who has answered our Nation's call whether military or legislative we give You praise and we pray Your blessing and keeping Presence as we serve the greater good. Bless now the proceedings of this House Chambers; for we pray this in the Holiness of Your Name. Amen

The Pledge of Allegiance was led by Rep. Grant.

PERSONAL PRIVILEGE

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

This morning, our Governor has signed a proclamation designating today, Wednesday, January 23, 2013, as Kansas Armed Forces Appreciation Day. Today, 64 years after the formation of the Department of Defense and the first Armed Forces Day by President Harry S. Truman, the United States military service members are standing ever vigilant at their posts around the world to keep us safe.

In the words of President John F. Kennedy, that still ring true today, "Our Servicemen

and women are serving throughout the world as guardians of peace--many of them away from their homes, their friends and their families. They are visible evidence of our determination to meet any threat to the peace with measured strength and high resolve. They are also evidence of a harsh but inescapable truth--that the survival of freedom requires great cost and commitment, and great personal sacrifice."

Today, our military is deployed in more than 150 countries and they are working here at home to protect America from threats foreign and domestic. Our service members are risking their lives in the mountains of Afghanistan, providing security and peacekeeping missions in places like Djibouti, Kenya, Kosovo and the Sinai. They also are providing humanitarian assistance where the world, our nation, and Kansas have dire need. The Members of our Armed Forces – the Army, Navy, Air Force, Marines, and Coast Guard - are forging a better future for our Nation and the world.

Kansas National Guard and Reserve personnel not only continue their support to emergencies at home 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 much of 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 – Kansas 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!

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

Today when we acknowledge and celebrate Armed Forces Appreciation Day; we also need to give thanks to all the families of the military members. Quite often when the soldiers are deployed the responsibility of maintaining the family falls on the spouse.

The spouses make a lot of sacrifices in order to have the military member defend our freedoms.

I want to take this opportunity to thank the House of Representatives for all the legislation that we have passed to help the members of the military. I also want to thank the Armed Forces and their families for all our freedoms.

PERSONAL PRIVILEGE

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

I stand before you this morning to celebrate Dr. Martin Luther King, and I include members of the Kansas African American Legislative Caucus.

Dr. King's last speech was at Kansas State University, Manhattan, Kansas. He died April 4, 1968, at 6:01 p.m.

Dr. King was a minister who worked for all people and a Nobel Peace Prize winner. He believed in life, liberty and the pursuit of happiness and equal rights for all.

I want to share a poem with you this morning. Some of you have heard it before. We have many new legislators and I want them to hear it.

What Will Matter?

By Michael Josephson

Ready or not, some day it will all come to an end.
 There will be no more sunrises, no minutes, hours or days.
 All the things you collected, whether treasured or forgotten
 will pass to someone else.
 Your wealth fame and temporal power will shrivel to irrelevance.
 It will not matter what you owned or what you were owed.
 Your grudges, resentments, frustrations
 and jealousies will finally disappear.
 So too, your hopes, ambitions, plans and to-do lists will expire.
 The wins and losses that once seemed so important will fade away.
 It won't matter where you came from
 or what side of the tracks you lived on at the end.
 It won't matter whether you were beautiful or brilliant.
 Even your gender and skin color will be irrelevant.
 So what will matter?
 How will the value of your days be measured?
 What will matter is not what you bought
 but what you built, not what you got but what you gave.
 What will matter is not your success
 but your significance.
 What will matter is not what you learned
 but what you taught.
 What will matter is every act of integrity,
 compassion, courage, or sacrifice
 that enriched, empowered or encouraged others
 to emulate your example.
 What will matter is not your competence
 but your character.
 What will matter is not how many people you knew,
 but how many will feel a lasting loss when you're gone.
 What will matter is not your memories,

but the memories that live in those who loved you.
What will matter is how long you will be remembered,
by whom and for what.
Living a life that matters doesn't happen by accident.
It's not a matter of circumstance but of choice.
Choose to live a life that matters.

We celebrate the life of Dr. Martin Luther King, who lived a life that mattered. I challenge each of us to continue to choose to live a life that matters.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2049, AN ACT concerning the Kansas department of agriculture; relating to program fees; increasing certain fees; eliminating sunsets on various program fees; exempting certain dairies from fees; amending K.S.A. 2012 Supp. 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-708a, 82a-708b, 82a-708c, 82a-714, 82a-727, 83-302 and 83-402 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2050, AN ACT concerning agriculture; relating to agricultural chemicals, registration; pesticide businesses, liability insurance; repealing the Kansas agricultural liming materials act; amending K.S.A. 2-2448 and K.S.A. 2012 Supp. 2-2204 and repealing the existing sections; also repealing K.S.A. 2-2902, 2-2904, 2-2907, 2-2908, 2-2909 and 2-2910 and K.S.A. 2012 Supp. 2-2901, 2-2903, 2-2905, 2-2906 and 2-2911, by Committee on Agriculture and Natural Resources.

HB 2051, AN ACT concerning water; relating to limited transfer permits; exempting certain dams from jurisdiction; enacting penalties for lack of dam inspection; creating an incentive for multi-year flex accounts; administrative review of certain orders of the chief engineer; amending K.S.A. 2012 Supp. 82a-301, 82a-302, 82a-303b, 82a-736 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 24-105, 24-107, 82a-312, 82a-313 and 82a-314 and K.S.A. 2012 Supp. 24-106, 74-509 and 82a-735, by Committee on Agriculture and Natural Resources.

HB 2052, AN ACT concerning firearms; creating the crime of unlawful discharge of a firearm, by Committee on Federal and State Affairs.

HB 2053, AN ACT concerning the state board of technical professions; amending K.S.A. 74-7001, 74-7004, 74-7005, 74-7007, 74-7010, 74-7016, 74-7019, 74-7024, 74-7032, 74-7033, 74-7035, 74-7038, 74-7039, 74-7040 and 75-5802 and K.S.A. 2012 Supp. 19-216c, 19-1401a, 72-6760d, 74-7003, 74-7009, 74-7013, 74-7021, 74-7022, 74-7023, 74-7025, 74-7026, 74-7029, 74-7031, 74-7034, 74-7036, 74-7046, 74-99b16, 75-1251, 75-37,142, 76-786 and 76-7,126 and repealing the existing sections; also repealing K.S.A. 74-7037 and 74-7042 and K.S.A. 2012 Supp. 74-7041, by Committee on Federal and State Affairs.

HB 2054, AN ACT establishing the community defense act; amending K.S.A. 2012 Supp. 22-3901 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2055, AN ACT concerning the personal and family protection act; amending

K.S.A. 2012 Supp. 21-6309 and 75-7c10 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2056, AN ACT concerning taxation; relating to permitted use of tax information; tax liens upon personal property; tax warrants; amending K.S.A. 2012 Supp. 75-5133, 79-3234, 79-3235, 79-3235a and 79-3617 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-5133b, 79-3234c and 79-3235b, by Committee on Taxation.

HB 2057, AN ACT concerning property taxation; relating to county appraisers; appointing interim appraiser; amending K.S.A. 2012 Supp. 19-430 and repealing the existing section, by Committee on Taxation.

HB 2058, 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. 2012 Supp. 79-4216 and repealing the existing sections, by Committee on Taxation.

HB 2059, AN ACT concerning taxation; relating to income tax deductions and modifications; severance tax; sales tax; amending K.S.A. 79-32,109 and K.S.A. 2012 Supp. 79-32,118, 79-32,266, 79-3620 and 79-4217 and repealing the existing sections; also repealing K.S.A. 79-3632 and K.S.A. 2012 Supp. 79-32,117n and 79-3639a, by Committee on Taxation.

HB 2060, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-4505 and K.S.A. 2012 Supp. 79-4502 and repealing the existing sections, by Committee on Taxation.

HB 2061, AN ACT concerning income taxation; relating to Kansas adjusted gross income; addition modifications; losses by certain subchapter S corporations; amending K.S.A. 2012 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2062, AN ACT concerning certain fire districts; amending K.S.A. 19-3631 and repealing the existing section, by Representative Sloan.

HB 2063, AN ACT concerning income taxation; relating to credits; homestead which has sustained substantial damage and is located in a disaster area, by Representatives Whipple, Edwards, Bradford, Christmann, DeGraaf, Hermanson, Howell and Osterman.

HB 2064, AN ACT concerning criminal procedure; relating to law enforcement agency liability to health care providers for persons in custody; amending K.S.A. 2012 Supp. 22-4612 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2065, AN ACT concerning crimes and punishment; creating the crime of home improvement fraud, by Committee on Corrections and Juvenile Justice.

HB 2066, AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2012 Supp. 65-2921 and repealing the existing section, by Committee on Health and Human Services.

HB 2067, AN ACT concerning the board of nursing; relating to the assistant attorneys general; amending K.S.A. 74-1111 and repealing the existing section, by Committee on Health and Human Services.

HB 2068, AN ACT enacting the Kansas death with dignity act, by Committee on Health and Human Services.

HB 2069, AN ACT concerning employer leave policies for employees; declaring

certain city ordinances and county resolutions to be against public policy, by Committee on Commerce, Labor and Economic Development.

HB 2070, AN ACT concerning criminal procedure; relating to appearance bonds; surety or agent of surety; amending K.S.A. 22-2803 and 22-2809a and K.S.A. 2012 Supp. 22-2802 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 22-2802c, by Committee on Judiciary.

HB 2071, AN ACT authorizing the conveyance of certain real property to the Kansas university endowment association and authorizing the acceptance and conveyance of certain real property owned by the Kansas university endowment association to the state board of regents, by Legislative Educational Planning Committee.

HB 2072, AN ACT concerning certain municipalities; dealing with solid waste and recycling restrictions, by Committee on Local Government.

HB 2073, AN ACT concerning streams, dams and obstructions; amending K.S.A. 82a-307 and K.S.A. 2012 Supp. 82a-301, 82a-303b and 82a-326 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 82a-326a, by Committee on Local Government.

HB 2074, AN ACT concerning cities and counties; relating to certain solid waste disposal areas and restrictions, by Committee on Local Government.

HB 2075, AN ACT concerning cities; relating to the qualifications and rehabilitation of abandoned property; amending K.S.A. 2012 Supp. 12-1750 and 12-1756a and repealing the existing sections, by Committee on Local Government.

HB 2076, AN ACT concerning wildlife, parks and tourism; relating to hunting and fishing; relating to licenses for disabled veterans; amending K.S.A. 2012 Supp. 32-906, 32-919 and 32-988 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2077, AN ACT concerning licensing bodies; relating to licensure and military service members; amending K.S.A. 2012 Supp. 48-3406 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2078, AN ACT concerning certain licensing boards; relating to licensure and military service members; amending K.S.A. 2012 Supp. 65-1116 and 65-6129 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Corrections and Juvenile Justice: **HB 2041**, **HB 2043**, **HB 2044**; **ERO 42**.

Elections: **HB 2038**, **HB 2039**.

Federal and State Affairs: **HB 2037**.

Financial Institutions: **HB 2036**.

Judiciary: **HB 2040**.

Taxation: **HB 2042**, **HB 2047**, **HB 2048**.

Transportation: **HB 2045**, **HB 2046**.

COMMUNICATIONS FROM STATE OFFICERS

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance

with K.S.A. 60-4117, report of the KBI State Forfeiture Fund.

From Scott Frank, Legislative Post Auditor, Legislative Division of Post Audit, Annual Report to the 2013 Legislature.

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 **SCR 1606**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate concurrent resolution was introduced and read by title:

SCR 1606.

REPORTS OF STANDING COMMITTEES

Committee on **Rules and Journal** recommends **HR 6004** be amended on page 2, after line 43, by inserting the following:

"Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions. Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice 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, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment 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. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, 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. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?";

On page 16, by striking all in lines 11 through 27; in line 43, by striking the first "chairperson" and inserting "presiding officer"; also in line 43, by striking the second "chairperson" and inserting "presiding officer";

On page 17, in line 11 by striking "chairperson" and inserting "presiding officer"; in line 15 by striking "chairperson" and inserting "presiding officer"; in line 19 by striking "chairperson" and inserting "presiding officer"; in line 22, by striking all after "(d)"; by striking all in line 23 through 26; in line 27, by striking "(e)"; in line 29, after "chairperson" by inserting "of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee,"; in line 31, after "chairperson" by inserting ", or vice chairperson,"; and the resolution be adopted as amended.

Committee on **Rules and Journal** recommends **SCR 1604** be amended on page 3, in line 20, by striking “, but if” and inserting “and the motion to concur may be renewed but not on the same legislative day. If”;

On page 8, in line 31, following “**Joint rule 6.**” by inserting “**Floor Amendments to Bills Making Appropriations.**” and the resolution be adopted as amended.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 24, 2013.

Journal of the House

EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 24, 2013, 11:00 a.m.

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

The roll was called with 117 members present.

Reps. Carlson, Concannon, Jennings, Merrick, Peterson, Ruiz, Suellentrop and Swanson were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dr. Bruce Emmert, senior pastor, First United Methodist Church of Topeka, and guest of Rep. Tietze:

Lord our God,

Thank you for the men and women of the House of Representatives who come to elected office with the desire to seek what is best for all Kansans.

Their burden, Lord, is heavy. The demands of office are weighty.

Grant our Representatives wisdom as they consider the great issues facing our state and discernment as they listen to all the competing voices which seek to be heard.

Grant our Representatives patience with us who elected them when we want simplistic solutions to the complex issues facing us all.

Grant our Representatives an extra measure of grace when their best intentions are misunderstood, their decisions are questioned or their motives doubted.

And, Lord, grant our Representatives good-humored friendships with one another that transcend political distinctions as they work together for the people of Kansas.

Our thoughts are with Representative Carlson and his family following an accident in which two of his granddaughters were injured.

Lord our God, for the men and women of the Kansas House of Representatives, for Kansas Senate and for our Governor we give you thanks and praise. Amen.

The Pledge of Allegiance was led by Rep. Edwards.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2079, AN ACT regulating traffic; concerning certain right-of-way violations; increasing penalties; amending K.S.A. 2012 Supp. 8-2118 and repealing the existing section, by Committee on Transportation.

HB 2080, AN ACT concerning crimes, criminal procedure and punishment; amending K.S.A. 2012 Supp. 21-5807 and 21-5924 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-5924a, by Committee on Corrections and Juvenile Justice.

HB 2081, AN ACT concerning civil procedure; relating to the forfeiture of instrumentalities of a crime; amending K.S.A. 2012 Supp. 60-4104 and 60-4105 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2082, AN ACT concerning racial profiling; relating to data collection by law enforcement; amending K.S.A. 2012 Supp. 22-4606 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2083, AN ACT concerning the public employees relations board; amending K.S.A. 75-4327 and K.S.A. 2012 Supp. 75-4332 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2084, AN ACT concerning income taxation; relating to credits; community services contributions; amending K.S.A. 2012 Supp. 79-32,195 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2085, AN ACT concerning negotiation of working conditions, including labor relations, for certain professional employees; amending K.S.A. 72-5415, 72-5416, 72-5417, 72-5418, 72-5419, 72-5421, 72-5423, 72-5424, 72-5426 and 72-5430 and K.S.A. 2012 Supp. 72-5413 and repealing the existing sections; also repealing K.S.A. 72-5420 and 72-5428a, by Committee on Commerce, Labor and Economic Development.

HB 2086, AN ACT concerning economic development financing; relating to eligible project costs for tax increment financing and community improvement districts; bond repayment pledge requirements; amending K.S.A. 2012 Supp. 12-6a27, 12-1770a and 12-1774 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2087, AN ACT concerning the promoting employment across Kansas act; relating to extension of the benefit term for a qualified company; amending K.S.A. 2012 Supp. 74-50,212 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2088, 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 certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2012 Supp. 74-50,107, 74-99b34 and 79-4227 and repealing the existing sections, by Committee on Appropriations.

HB 2089, AN ACT concerning historic properties; relating to projects within the environs of such properties; amending K.S.A. 75-2729 and K.S.A. 2012 Supp. 75-2724 and repealing the existing sections, by Committee on Local Government.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2049, HB 2050, HB 2051, HB 2073, HB 2076.**

Commerce, Labor and Economic Development: **HB 2053, HB 2069, HB 2077** (separately).

Corrections and Juvenile Justice: **HB 2064, HB 2065, HB 2070.**

Education Budget: **HB 2071.**

Federal and State Affairs: **HB 2052, HB 2054, HB 2055.**

Health and Human Services: **HB 2066, HB 2067, HB 2068; SCR 1606.**

Local Government: **HB 2062, HB 2072, HB 2074, HB 2075.**

Taxation: **HB 2056, HB 2057, HB 2058, HB 2059, HB 2060, HB 2061, HB 2063.**

Veterans, Military and Homeland Security: **HB 2077** (separately), **HB 2078.**

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2021** from Committee on General Government Budget and referral to Committee on Education Budget.

On motion of Rep. Vickrey, the House resolved into 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 to **HR 6004** be adopted; also, on motion of Rep. DeGraaf to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Ward to amend **HR 6004** on page 18, in line 43, by striking the second comma and inserting ": (a)";

On page 19, in line 2, after "bill" by inserting "; or (b) the ending balance in the state treasury that would otherwise be required by law for the applicable fiscal year";

On roll call, the vote was: Yeas 39; Nays 78; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Rooker, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, C-Lovelady, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Jr. Ryckman, Sr.

Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Present but not voting: None.

Absent or not voting: Carlson, Concannon, Jennings, Merrick, Peterson, Ruiz, Suellentrop, Swanson.

The motion of Rep. Ward did not prevail.

Also, on further motion of Rep. Ward to amend **HR 6004**, the motion did not prevail and the resolution be adopted as amended.

Committee report to **SCR 1604** be adopted; also, on motion of Rep. Rubin to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Schroeder to amend **SCR 1604** on page 8, by striking all in lines 32 through 41;

On roll call, the vote was: Yeas 49; Nays 68; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Ballard, Becker, Bideau, Bollier, Bridges, Burroughs, Campbell, Carlin, Carpenter, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gandhi, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Rooker, Sawyer, Schroeder, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Boldra, Bradford, Bruchman, Brunk, C-Lovelady, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Osterman, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Jr. Ryckman, Sr. Ryckman, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Carlson, Concannon, Jennings, Merrick, Peterson, Ruiz, Suellentrop, Swanson.

The motion of Rep. Schroeder did not prevail.

Also, on motion of Rep. Sawyer to amend **SCR 1604**, the motion did not prevail and the resolution be adopted as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Judiciary** recommends **HCR 5002** be amended on page 4, in line 4, by striking "nomination or"; in line 9, before "Any" by inserting:

"The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision

of the court of appeals.

(2)";

And by redesignating paragraphs accordingly;

On page 6, in line 1, by striking "nomination or"; by striking all in lines 6 and 7;

On page 9, in line 2, by striking "August" and inserting "November"; and the resolution be adopted as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 1, by Representative O'Brien, congratulating Joseph Hrenchir on achieving the rank of Eagle Scout;

Request No. 2, by Representative Peck, congratulating Chalmer Haworth on celebrating his 98th birthday;

Request No. 3, by Representative Meier, congratulating Crystal M. Harris on celebrating her 100th birthday;

Request No. 4, by Representative Trimmer, congratulating Tristan Slayden on achieving the rank of Eagle Scout;

Request No. 5, by Representative Bradford, congratulating Laura J. Moyers on achieving 2013 Regional Teacher of the Year, Kansas Teacher of the Year Program;

Request No. 6, by Representative Hedke, congratulating Dyane Smokorowski on achieving 2013 Kansas Teacher of the Year, Kansas Teacher of the Year Program;

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. Vickrey, 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 2090, AN ACT concerning livestock; relating to the establishment of the Kansas equine education and promotion board, by Committee on Agriculture and Natural Resources.

HB 2091, AN ACT concerning delinquent personal property taxes; amending K.S.A. 19-547 and repealing the existing section, by Committee on Local Government.

HB 2092, AN ACT concerning employee privacy; relating to social media access by employers, by Committee on Vision 2020.

HB 2093, AN ACT concerning crimes, criminal procedure and punishment; relating to identity theft; relating to unlawful acts concerning computers; amending K.S.A. 2012 Supp. 21-5839 and 21-6107 and repealing the existing sections, by Committee on Vision 2020.

HB 2094, AN ACT concerning public and private postsecondary educational institutions; relating to student electronic privacy, by Committee on Vision 2020.

HB 2095, AN ACT concerning the governmental ethics commission; amending K.S.A. 2012 Supp. 25-4119a and repealing the existing section, by Committee on Elections.

HB 2096, AN ACT concerning local governing bodies; relating to investment of public moneys, conditions and limitations; amending K.S.A. 2012 Supp. 12-1675 and repealing the existing section, by Committee on Financial Institutions.

HB 2097, AN ACT concerning the Kansas electric transmission authority; relating to the composition of the board of directors; amending K.S.A. 2012 Supp. 74-99d03 and 74-99d04 and repealing the existing sections, by Committee on Energy and Environment.

HB 2098, AN ACT concerning the personal and family protection act; relating to the licensure of certain officers; amending K.S.A. 2012 Supp. 75-7c05 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2099, AN ACT concerning insurance; pertaining to updating of certain statutory references; amending K.S.A. 39-719e, 40-1612 and 40-19a10 and K.S.A. 2012 Supp. 40-19c09 and repealing the existing sections; also repealing K.S.A. 40-254, by Committee on Insurance.

HB 2100, AN ACT concerning utilities; relating to renewable energy, purchasing and contracting, by Committee on Energy and Environment.

HB 2101, AN ACT concerning utilities; relating to electric transmission, interstate siting compact, by Committee on Energy and Environment.

HB 2102, AN ACT concerning courts; relating to the commission on judicial performance; docket fees; judicial performance fund; amending K.S.A. 2012 Supp. 20-367, 20-3201, 28-172a, 28-179, 59-104, 60-2001, 61-2704 and 61-4001 and repealing the existing sections, by Committee on Judiciary.

HB 2103, AN ACT concerning sales and use taxation; relating to nexus; amending K.S.A. 2012 Supp. 79-3702 and repealing the existing section, by Committee on Taxation.

HB 2104, AN ACT concerning telecommunications; relating to the use of alternative technology, carrier of last resort; amending K.S.A. 2012 Supp. 66-2009 and repealing the existing section, by Committee on Utilities and Telecommunications.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Burroughs to replace Rep. Ruiz as a member of the Committee on Commerce, Labor and Economic Development effective today.

Also, the appointment of Rep. Mast to replace Rep. Suellentrop as Vice-Chair of the Committee on Commerce, Labor and Economic Development and the appointment of Rep. Lunn to replace Rep. Carlson as a member of the Committee on Commerce, Labor and Economic Development for January 23-25.

On motion of Rep. Vickrey, the House adjourned pro forma until 8:00 a.m., Friday, January 25, 2013.

Journal of the House

NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 25, 2013, 8:00 a.m.

The House met Session pro forma pursuant to adjournment with Speaker pro tem Mast in the chair.

CORRECTION OF REFERENCE

Speaker pro tem Mast announced **HB 2084** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Taxation, should be corrected to be referred to Committee on Commerce, Labor and Economic Development.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2090**.

Appropriations: **HB 2088**.

Commerce, Labor and Economic Development: **HB 2083, HB 2085, HB 2087, HB 2092**.

Corrections and Juvenile Justice: **HB 2080, HB 2093**.

Education: **HB 2094**.

Elections: **HB 2095**.

Energy and Environment: **HB 2097, HB 2100, HB 2101**.

Federal and State Affairs: **HB 2082, HB 2098**.

Financial Institutions: **HB 2096**.

Insurance: **HB 2099**.

Judiciary: **HB 2081, HB 2102**.

Local Government: **HB 2089**.

Taxation: **HB 2086, HB 2091, HB 2103**.

Transportation: **HB 2079**.

Utilities and Telecommunications: **HB 2104**.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, January 28, 2013.

Journal of the House

TENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 28, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Bridges, Kelley and Ruiz were excused on excused absence by the Speaker.

Prayer by Rep. Schwab:

Lord, to some of us you are God, Lord, Friend, and to me you just seem to be Dad. But since the beginning you have been the Great I Am. What we have needed, what we have lacked, you have been the I Am.

Today, remind us as we discuss and debate that the decisions we make will not stop the earth from turning, nor remove it from it's axis. You will still be on Your throne. So this day, may we have peace. So, Dad, be I Am this day and let it been known that there is Peace on Earth, Good Will Toward all. Peace, with all who are, this day, may we have peace.

In your Holy Name we pray.

The Pledge of Allegiance was led by Rep. Carlson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2105, AN ACT concerning the employment security law; amending K.S.A. 44-702 and K.S.A. 2012 Supp. 44-703, 44-704, 44-705, 44-706, 44-709, 44-710, 44-719, 74-5602 and 75-5702 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 44-704c, by Committee on Commerce, Labor and Economic Development.

HB 2106, AN ACT concerning insurance on portable electronics; amending K.S.A. 2012 Supp. 40-5607 and repealing the existing section, by Committee on Insurance.

HB 2107, AN ACT concerning insurance; relating to the transmission of electronic notices and other documents; enacting the electronic notice and document act, by Committee on Insurance.

HB 2108, AN ACT enacting the Kansas death with dignity act, by Committee on Vision 2020.

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health and Environment, Treece Relocation Assistance Trust Expenditures/Income Report: November 2012, in accordance with K.S. A. 49-512(h).

From Kansas Employment First Oversight Commission, Kansas Employment First Initiative Act, Annual Report 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

HR 6004, adopting permanent rules of the House of Representatives for the 2013-2014 biennium, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 40; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claey, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Bollier, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Rooker, Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Kelley, Ruiz.

The resolution was adopted, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: **HR 6004** denies 2.6 million Kansans a meaningful voice in the spending of their tax dollars and delivers that power into the hands of 12 people. This rule denies 113 popularly elected members of this House the ability to bring different ideas, different priorities and different values to the budget debate. **HR 6004** undermines fundamental principles of representative democracy. At the heart of these rules is a fear by my extreme conservative colleagues to engage in debate on their agenda, these rules demonstrate a fear this agenda will not withstand public scrutiny. I vote no on **HR 6004**. – JIM WARD

MR. SPEAKER: I vote no on **HR 6004** because of confusion over whether under **SCR 1604** the House can suspend the "Pay Go" rule on its own by a 2/3 vote, or whether a

2/3 vote of both chambers is required. Media reports quoted a Senator that the rule cannot be suspended without a 2/3 vote of BOTH chambers on any appropriation. If correct, that cedes our authority to the Senate. I am strongly in favor of “Pay Go” with each house to be able to suspend the rule by a 2/3 vote, but not a 2/3 vote of both chambers. – ED BIDEAU

SCR 1604, adopting joint rules for the Senate and House of Representatives for the 2013-2014 biennium, 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, Barker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Bollier, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Rooker, Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Kelley, Ruiz.

The resolution was adopted, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SCR 1604** because of confusion over whether the House can suspend the “Pay Go” rule on its own by a 2/3 vote, or whether a 2/3 vote of both chambers is required. Media reports quoted a Senator that the rule cannot be suspended without a 2/3 vote of BOTH chambers on any appropriation. If correct, that cedes our authority to the Senate. I am strongly in favor of “Pay Go” with each house to be able to suspend the rule by a 2/3 vote, but not a 2/3 vote of both chambers. – ED BIDEAU

PROTEST

MR. SPEAKER: Under Article 2, Section 10 of the Kansas Constitution, we hereby enter the following protest:

SCR 1604 is contrary to the democratic principles enshrined in our state’s constitution and diverges from longstanding legislative precedent.

Article 2, Section 13 of the Kansas Constitution requires “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.” In effect, **SCR 1604** dismisses this majority principle and creates a system where a super-majority of both houses would be required to

change the level of appropriations once an appropriations bill comes out of committee.

In the House of Representatives, **SCR 1604** allows twelve Appropriations Committee members, less than one-tenth of the body, to have the final say over the bottom line of the state's budget. The power to appropriate monies is one of the central functions of the Kansas Legislature and therefore all members should be allowed to have their votes cast on such an important matter.

When the citizens of Kansas vote in legislative elections, they expect that their chosen representative will have a say in how much money the state spends. Unfortunately, after **SCR 1604**, this will only be true for Kansans who are lucky enough to vote for members of the Senate Ways and Means Committee or the House Appropriations Committee.

For the past two years, the "Pay-Go" rule has been able to be suspended by a majority vote of the House of Representatives. This is congruent with Article 2, Section 13, as it allows a majority of the body to rule. But this has been discarded in favor of a 2/3 vote of both the Senate and House of Representatives to suspend "Pay-Go". Thereby, 63 representatives, a majority, could vote to raise the total state budget, but that would not suffice because it would not constitute a 2/3 majority. Furthermore, a 2/3 majority in the House of Representatives could vote to raise the total budget, but that may not suffice unless the Senate could produce a 2/3 majority as well.

Mr. Speaker, we vote no on **SCR 1604**. The people of my district deserve to have their voices heard when it comes to fundamental matters of state government and the 2/3 requirement to suspend "Pay-Go" runs afoul of Article, Section 13. – PAUL DAVIS, JIM WARD

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2022, HB 2023** 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 RESOLUTION

The following bills were thereupon introduced and read by title:

HB 2109, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2012 Supp. 72-6448 and repealing the existing section, by Representatives Cassidy, Goico, Meier, Alford, Ballard, Barker, Bradford, Bridges, Burroughs, Carlin, Clayton, DeGraaf, Dierks, Dove, Edwards, Ewy, Finch, Finney, Gonzalez, Grant, Hawkins, Henderson, Henry, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Howell, Johnson, Jones, Kelly, Kuether, Lane, Menghini, Montgomery, Moxley, O'Brien, Osterman, Pauls, Phillips, Rothlisberg, Ryckman Sr., Schroeder, Schwab, Seiwert, Siegfried, Sloan, Sloop, Thimesch, Victors, Ward, Waymaster, Weigel, Whipple and Wolfe Moore.

HB 2110, AN ACT concerning taxation; relating to income tax rates and deductions; sales tax rates and distribution of revenue; amending K.S.A. 2012 Supp. 79-32,110, 79-32,120, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by

Committee on Taxation.

HB 2111, AN ACT concerning firearms; relating to the possession thereof; amending K.S.A. 2012 Supp. 12-16,124 and 21-6309 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2112, AN ACT concerning certain public officers and employees; relating to the use of unexpended campaign funds; amending K.S.A. 25-4142 and K.S.A. 2012 Supp. 25-4143 and 25-4157a and repealing the existing sections, by Committee on Elections.

HB 2113, AN ACT concerning the judicial branch of government; relating to judges; authority of supreme court; amending K.S.A. 4-202, 4-203, 4-204, 4-205, 4-206, 4-207, 4-208, 4-209, 4-210, 4-211, 4-212, 4-213, 4-214, 4-215, 4-216, 4-217, 4-218, 4-219, 4-220, 4-221, 4-222, 4-223a, 4-224, 4-225, 4-226, 4-227, 4-228, 4-229, 4-230, 4-231 and 4-232 and repealing the existing sections; also repealing K.S.A. 20-301b and 20-338, by Committee on Judiciary.

HB 2114, AN ACT concerning setoff against debtors of the state; amending K.S.A. 2012 Supp. 75-6210 and repealing the existing section, by Committee on Judiciary.

HB 2115, AN ACT concerning judges and justices; relating to the employment of retirants; amending K.S.A. 20-2622 and repealing the existing section, by Committee on Judiciary.

HB 2116, AN ACT concerning civil procedure; relating to electronic service of process; fees; amending K.S.A. 2012 Supp. 60-303 and 60-2001 and repealing the existing sections, by Committee on Judiciary.

HB 2117, AN ACT concerning courts; relating to court fees and costs; judiciary and technology fund; amending K.S.A. 20-1a12, 20-371 and 60-2101 and K.S.A. 2012 Supp. 8-2107, 8-2110, 20-362, 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, 61-4001 and 65-409 and repealing the existing sections, by Committee on Judiciary.

HB 2118, AN ACT concerning historic preservation; relating to environs review; amending K.S.A. 2012 Supp. 75-2724 and repealing the existing section, by Committee on Local Government.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Pauls to replace Rep. Burroughs who had replaced Rep. Ruiz on Committee on Labor and Economic Development on January 28 and 29 only.

Also, the appointment of Rep. Sawyer to replace Rep. Tietze on Committee on Commerce, Labor and Economic Development on January 29 only.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 29, 2013.

Journal of the House

ELEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 29, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Hermanson was excused on verified illness.

Reps. Peterson, Powell, Ruiz and Tietze were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father of mercy and compassion,
today our leaders hear many voices speaking to them—
influencing how they are to make decisions.
Help them to realize how important it is to hear Your voice
in knowing the difference between:
enabling dependency or providing helpful assistance;
spending on unnecessary and perhaps extravagant wants
or spending prudently on basic necessary needs;
to protect the innocent and vulnerable
or grant more power to those who don't want to be inconvenienced.
Lord, it is important to listen to Your voice as You speak:
"Defend the weak and the fatherless;
uphold the cause of the poor and the oppressed."
(Ps. 82:3)
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Meier.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2119, AN ACT concerning personal property taxation; relating to motor vehicles; exemptions; members of military service and active guard and reservists; amending K.S.A. 2012 Supp. 79-5107 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2120, AN ACT concerning crimes, criminal procedure and punishment; relating

to collection and maintenance of DNA evidence; amending K.S.A. 2012 Supp. 21-2511 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2121, AN ACT concerning water; relating to well spacing requirements for users of water; amending K.S.A. 2012 Supp. 82a-708a, 82a-708b, 82a-708c and 82a-711 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2122, AN ACT concerning real estate brokers and salespersons; pertaining to licensure; pertaining to technical amendments; amending K.S.A. 58-30,106 and K.S.A. 2012 Supp. 58-3046a, 58-3050, 58-3062 and 58-30,103 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2123, AN ACT concerning public employees; enacting the public employees freedom act, by Committee on Commerce, Labor and Economic Development.

HB 2124, AN ACT concerning the employment security law; pertaining to benefits; pertaining to disqualification from benefits; amending K.S.A. 2012 Supp. 44-704, 44-706, 44-710a, 44-710b and 44-714 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2125, AN ACT concerning real estate brokers and salespersons; relating to license fees; amending K.S.A. 2012 Supp. 58-3063 and repealing the existing section, by Committee on General Government Budget.

HB 2126, AN ACT concerning life insurance; providing for certain additional riders on life insurance policies; amending K.S.A. 2012 Supp. 40-401 and repealing the existing section, by Committee on Insurance.

HB 2127, AN ACT concerning pharmacy technicians; relating to requirements for licensure, by Committee on Vision 2020.

HB 2128, AN ACT concerning the open records act, exceptions; amending K.S.A. 2012 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k, by Representative Sloan.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2105**.

Education Budget: **HB 2109**.

Elections: **HB 2112**.

Federal and State Affairs: **HB 2111**.

Health and Human Services: **HB 2108**.

Insurance: **HB 2106**, **HB 2107**.

Judiciary: **HB 2113**, **HB 2114**, **HB 2115**, **HB 2116**, **HB 2117**.

Local Government: **HB 2118**.

Taxation: **HB 2110**.

COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Director, State Employee Health Plan, Division of Health Care Finance, Kansas Department of Health and Environment, in accordance with K.S.A. 75-6509, Kansas State Employees Health Care Commission, 2012 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 **Judiciary** recommends **HB 2006** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

RECOGNITION OF KANSAS DAY

In recognition of Kansas Day, Rep. Ballard led the members of the House in singing Happy Birthday to Kansas and also “Home on the Range.”

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 30, 2013.

Journal of the House

TWELFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 30, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Brunk, Edmonds and Powell were excused on verified illness.

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

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today I pray for true humility for our leaders.
In this position, it is sometimes easy to fall prey
to thinking higher of ourselves than we ought.
So give them humility which
realizes its ignorance,
admits its mistakes,
recognizes its need,
welcomes advice,
and accepts rebuke.
Help them to always praise rather than to criticize,
to sympathize rather than to discourage,
to build rather than to destroy,
and to think of people at their best rather than at their worst.
I ask this in the name of Your Son who
exemplified humility in its purest form.
Even as we meet, I pray for Representative Brunk who fell
this morning and is now at the hospital being treated.
Watch over him.
Be with those who are treating him and bring him a
speedy recovery and healing.
In the name of Jehovah Rapha the Healer I pray. Amen.

The Pledge of Allegiance was led by Rep. Alford.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2129, AN ACT concerning county treasurers; amending K.S.A. 19-501 and repealing the existing section, by Committee on Elections.

HB 2130, AN ACT concerning elections; relating to petitions; amending K.S.A. 2012 Supp. 25-205, 25-302a, 25-303, 25-3602, 25-4005, 25-4310 and 25-4320 and repealing the existing sections, by Committee on Elections.

HB 2131, AN ACT concerning the coordinated public transportation assistance act; relating to eligibility of applicants for assistance to transportation systems; amending K.S.A. 2012 Supp. 75-5034 and 75-5037 and repealing the existing sections, by Committee on Children and Seniors.

HB 2132, AN ACT concerning the veterans benefit lottery game; establishing the veterans benefit lottery game fund; amending K.S.A. 2012 Supp. 74-8724 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2133, AN ACT concerning drivers' licenses and nondriver identification cards; relating to veterans; amending K.S.A. 2012 Supp. 8-243 and 8-1324 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2134, AN ACT concerning property taxation; relating to classification or valuation of property; appeals; protesting payment; amending K.S.A. 2012 Supp. 74-2433f, 79-1448, 79-1460 and 79-2005 and repealing the existing sections, by Committee on Taxation.

HB 2135, AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2012 Supp. 79-201a and repealing the existing section, by Committee on Taxation.

HB 2136, AN ACT concerning sales and compensating use tax; relating to distribution of revenues; amending K.S.A. 2012 Supp. 79-3620 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2137, AN ACT concerning motor vehicles; relating to the collection of fees, vehicle modernization surcharge; amending K.S.A. 2012 Supp. 8-145 and repealing the existing section; also repealing K.S.A. 2012 Supp. 75-5160, by Committee on Taxation.

HB 2138, AN ACT repealing K.S.A. 55-103, 55-104, 55-105, 55-107, 55-108, 55-109, 55-301, 55-302, 55-303, 55-304, 55-305, 55-306, 55-307, 55-308, 55-309 and 55-310; concerning oil and gas, by Committee on General Government Budget.

HB 2139, AN ACT concerning state finance; relating to canceled warrants; amending K.S.A. 10-811, 46-913, 46-924 and 58-3974 and repealing the existing sections; also repealing K.S.A. 10-812, 10-815 and 10-816 and K.S.A. 2012 Supp. 46-921, by Committee on General Government Budget.

HB 2140, AN ACT repealing K.S.A. 72-60b03; relating to the effective date of the midwestern higher education compact act, by Committee on General Government Budget.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2121**.

Commerce, Labor and Economic Development: **HB 2122, HB 2123, HB 2124, HB**

2125.

Corrections and Juvenile Justice: **HB 2120.**

Health and Human Services: **HB 2127.**

Insurance: **HB 2126.**

Judiciary: **HB 2128.**

Taxation: **HB 2119**

CONSENT CALENDAR

No objection was made to **HB 2006** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, 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 **HB 2023** 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 and resolutions were thereupon introduced and read by title:

HB 2141, AN ACT concerning school districts; relating to the former election process of certain unified school districts; amending K.S.A. 72-8202 and repealing the existing section; also repealing K.S.A. 72-6764, 72-6765, 72-6793 and 72-6794, by Committee on General Government Budget.

HB 2142, AN ACT repealing K.S.A. 72-8165, 72-8166, 72-8167, 72-8168, 72-8169, 72-8169a, 72-8170, 72-8171, 72-8172, 72-8173, 72-8174 and 72-8175; concerning land transfers, by Committee on General Government Budget.

HB 2143, AN ACT repealing K.S.A. 75-52,119, 75-52,120 and 75-52,121; concerning the department of corrections; relating to the purchase of certain real estate, by Committee on General Government Budget.

HB 2144, AN ACT concerning children and minors; relating to the repeal of outdated provisions concerning juveniles; amending K.S.A. 2012 Supp. 45-229 and repealing the existing section; also repealing K.S.A. 2012 Supp. 38-1604, 38-1608 and 38-1664, by Committee on General Government Budget.

HB 2145, AN ACT repealing K.S.A. 75-5028; concerning the purchase of real estate by the secretary of transportation, by Committee on General Government Budget.

HB 2146, AN ACT concerning pharmacists and pharmacies; relating to the cancer drug repository program; amending K.S.A. 2012 Supp. 65-1636 and repealing the existing section; also repealing K.S.A. 2012 Supp. 65-1664, 65-1665, 65-1666 and 65-1667, by Committee on General Government Budget.

HB 2147, AN ACT repealing K.S.A. 68-422b, 68-1129, 68-1601, 68-1602, 68-1603,

68-1604, 68-1605, 68-1606, 68-1607, 68-1608, 68-1609, 68-1610, 68-1611, 68-1612 and 68-1613; relating to roads and bridges, by Committee on General Government Budget.

HB 2148, AN ACT concerning postsecondary education scholarships; amending K.S.A. 74-3292, 74-3293 and 74-3297 and K.S.A. 2012 Supp. 74-32,100 and repealing the existing sections; also repealing K.S.A. 72-9701, 72-9702, 72-9703, 72-9704, 72-9705, 72-9706, 74-3299, 74-32,112, 74-32,113, 74-32,114, 74-32,115, 74-32,116, 74-32,117, 74-32,118 and 74-32,119 and K.S.A. 2012 Supp. 74-32,107d, 74-32,131, 74-32,132, 74-32,133, 74-32,134, 74-32,135, 74-32,136, 74-32,137 and 74-32,138, by Committee on General Government Budget.

HB 2149, AN ACT concerning postsecondary education student loans and tuition grants; amending K.S.A. 74-3241 and repealing the existing section; also repealing K.S.A. 72-7401, 72-7402, 72-7403, 72-7404, 72-7405, 72-7406, 72-7407, 74-3233, 74-3235, 74-3236, 74-3237, 74-3238, 74-3239 and 74-3240, by Committee on General Government Budget.

HB 2150, AN ACT repealing K.S.A. 74-32,152, 74-32,153, 74-32,154, 74-32,155, 74-32,156, 74-32,157, 74-32,158 and 74-32,159 and K.S.A. 2012 Supp. 74-32,151 and 74-32,160; concerning the workforce development loan program act, by Committee on General Government Budget.

HB 2151, AN ACT repealing K.S.A. 2012 Supp. 76-381b; concerning medically underserved areas, by Committee on General Government Budget.

HB 2152, AN ACT concerning the uniform land sales practices act; amending K.S.A. 2012 Supp. 17-12a601 and repealing the existing section; also repealing K.S.A. 58-3301, 58-3302, 58-3303, 58-3304, 58-3305, 58-3306, 58-3307, 58-3308, 58-3309, 58-3310, 58-3311, 58-3312, 58-3313, 58-3315, 58-3316, 58-3317, 58-3318, 58-3319, 58-3320, 58-3321, 58-3322 and 58-3323 and K.S.A. 2012 Supp. 58-3314, by Committee on General Government Budget.

HB 2153, AN ACT concerning the utilization of unused medications act; relating to donating entities, unused medications; authority and rules and regulations of the state board of pharmacy; repealing the cancer drug repository program; amending K.S.A. 2012 Supp. 65-1636, 65-1669, 65-1670, 65-1671 and 65-1674 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 65-1664, 65-1665, 65-1666 and 65-1667, by Committee on Health and Human Services.

HB 2154, AN ACT concerning the board of cosmetology; relating to licensure and renewal; amending K.S.A. 65-1904a and repealing the existing section, by Committee on Health and Human Services.

HB 2155, AN ACT concerning cosmetology; relating to licensure and renewal; amending K.S.A. 2012 Supp. 65-1943, 65-1945 and 65-1950 and repealing the existing sections, by Committee on Health and Human Services.

HB 2156, AN ACT concerning school finance; relating to area vocational school fund; relating to local effort as applied to U.S.D. No. 450; amending K.S.A. 2012 Supp. 72-6409 and repealing the existing section; also repealing K.S.A. 72-6422 and 72-8189, by Committee on General Government Budget.

HB 2157, AN ACT concerning the Kansas dental board; relating to licensure of registered dental practitioners; amending K.S.A. 65-1421, 65-1441, 65-1449, 65-1460, 65-1462, 74-1404 and 74-1406 and K.S.A. 2012 Supp. 65-1424, 65-1431, 65-1434, 65-1436, 65-1447, 65-1469, 65-4915, 65-4921, 65-5912, 65-7304, 74-1405, 75-2935 and

75-6102 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-6102c, by Committee on Health and Human Services.

HB 2158, AN ACT concerning state agencies; relating to contracts; creating preferences to businesses owned by disabled veterans, by Committee on Veterans, Military and Homeland Security.

HB 2159, AN ACT concerning the state court of tax appeals; relating to valuation appeals, filing fees, hearings by telephone; terms of judges and the chief hearing officer; good-faith estimate of value; amending K.S.A. 2012 Supp. 74-2433, 74-2433f and 74-2438a and repealing the existing sections, by Committee on General Government Budget.

HB 2160, AN ACT concerning quality care assessment on skilled nursing care facilities; amending K.S.A. 2012 Supp. 75-7435 and repealing the existing section, by Committee on Appropriations.

HB 2161, AN ACT concerning crimes, criminal procedure and punishment; relating to the crime of unlawful denial of due process; relating to the national defense authorization act, by Representatives Hildabrand, Bradford, Claeys, Garber, Grosserode, Hedke, Houser, Howell, Montgomery, O'Brien, Peck, Petty, Read and Rothlisberg.

HB 2162, AN ACT concerning the secretary of state, relating to ballot language statements, by Committee on Elections.

HB 2163, AN ACT concerning civil procedure; relating to garnishment proceedings; amending K.S.A. 2012 Supp. 60-736 and 61-3509 and repealing the existing sections, by Committee on Judiciary.

HB 2164, AN ACT concerning jurors; relating to information disqualifying juror from jury service, by Committee on Judiciary.

HB 2165, AN ACT concerning crimes and punishment; relating to promotion to minors of material harmful to minors; amending K.S.A. 2012 Supp. 21-6402 and repealing the existing section, by Committee on Judiciary.

HB 2166, AN ACT concerning real and personal property; relating to the medical assistance recovery program; amending K.S.A. 39-702, 58-3957, 58a-818, 59-617, 59-618, 59-619, 59-1501, 59-2239 and 59-2250 and K.S.A. 2012 Supp. 39-709, 59-618a, 59-1507b, 59-2222 and 59-2247 and repealing the existing sections, by Committee on Judiciary.

HB 2167, AN ACT designating native American legislative day at the capitol; amending K.S.A. 35-205 and repealing the existing section, by Representative Victors.

HB 2168, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; relating to parimutuel racing; creating the Kansas agricultural opportunity act; amending K.S.A. 74-8826 and 74-8836 and K.S.A. 2012 Supp. 74-8734, 74-8741, 74-8744, 74-8746, 74-8747, 74-8751, 74-8823 and 74-8831 and repealing the existing sections; also repealing K.S.A. 74-8824, by Representatives Grant, Alcalá, Alford, Barker, Bradford, Christmann, Claeys, Clayton, Dierks, Doll, Ewy, Finney, Henderson, Henry, Hibbard, Hill, Houser, Kuether, Lane, Menghini, Rothlisberg, Sawyer and Thimesch.

HB 2169, AN ACT concerning criminal procedure; relating to final disposition of pending charge proceedings; amending K.S.A. 22-4301, 22-4303 and 22-4304 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2170, AN ACT concerning crimes, criminal procedure and punishment; relating

to probation and postrelease supervision; relating to sentencing; amending K.S.A. 2012 Supp. 21-6604, 21-6606, 21-6608, 21-6821, 22-3716, 22-3717, 74-9101 and 75-5217 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-6604a and 21-6604b, by Committee on Corrections and Juvenile Justice.

HB 2171, AN ACT concerning water; relating to agreed local management areas, by Committee on Agriculture and Natural Resources.

HB 2172, AN ACT concerning cemetery corporations; amending K.S.A. 2012 Supp. 16-320, 16-321, 16-329, 17-1301c, 17-1311, 17-1312 and 17-1312a and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2173, AN ACT concerning civil procedure; relating to remote claim liens on commercial property; establishing the state construction registry; amending K.S.A. 60-1103, 60-1110 and 60-1111 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2174, AN ACT concerning sales taxation; relating to certain cash rebates on sales or leases of new motor vehicles; amending K.S.A. 2012 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

HB 2175, AN ACT concerning crimes and punishments; relating to official misconduct; amending K.S.A. 2012 Supp. 21-6002 and repealing the existing section, by Representatives Hildabrand, Bradford, Christmann, Claeys, Dierks, Esau, Garber, Goico, Grosserode, Hedke, Houser, Howell, McPherson, Montgomery, O'Brien, Petty, Read, Rothlisberg, Rubin, Todd and Weber.

HOUSE CONCURRENT RESOLUTION No. **HCR 5006**—

By Representatives Peck, Bradford, Carpenter, Claeys, Hawkins,
Hibbard, Houser, Kelly, Osterman and Rothlisberg

A PROPOSITION to amend section 2 of article 2 of the constitution of the state of Kansas; relating to senators and representatives.

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 2 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 2. Senators and representatives. (a) The number of representatives and senators shall be regulated by law, but shall not exceed ~~one hundred twenty-five~~ 125 representatives and ~~forty~~ 40 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.

(b) (1) *From and after January 9, 2017, no individual shall be elected as a representative for more than six consecutive two-year terms.*

(2) *From and after January 9, 2017, no individual shall be elected as a senator for more than three consecutive four-year terms.*

(3) *For the purpose of computing the time period under either paragraph (1) or (2)*

of this subsection, no time spent serving as either a representative or senator prior to January 9, 2017, shall be counted."

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

"Explanatory statement. This amendment would limit an individual's service as a state representative to six consecutive two-year terms starting on January 9, 2017. This amendment would limit an individual's service as a state senator to three consecutive four-year terms starting on January 9, 2017. Any terms of service occurring prior to January 9, 2017, and any nonconsecutive terms, would not be subject to this limitation.

"A vote for this proposition would limit the service of an individual as a state representative to six consecutive two-year terms starting on January 9, 2017, and also limit the service of an individual as a state senator to three consecutive four-year terms starting on January 9, 2017.

"A vote against this proposition would retain the current constitutional provisions which impose no limitations on the number of terms an individual may serve as a representative or as a senator."

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 on 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 of the state at the general election in November in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—

By Committee on Commerce, Labor and Economic Development
A PROPOSITION to amend article 12 of the constitution of the state of Kansas by adding a new section thereto, concerning economic freedom.

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: Article 12 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 7. Economic freedom amendment; prohibiting transfer of ownership interests in entities formed under Kansas law to the federal government. Any transfer to the United States, or any entity controlled by the United States, of any ownership interest in any entity formed pursuant to the laws of this state shall be prohibited, provided, the foregoing prohibition shall not apply to any investments through pension funds operated by the United States or any entity controlled by the United States.

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 prohibit nationalization of Kansas businesses.

"A vote for this proposition would prohibit the transfer of any ownership interest in any business or any other entity formed under Kansas law to the federal government, or an entity controlled by the federal government. This prohibition would not apply to investments in pension funds operated by the federal government or by an entity controlled by the federal government.

"A vote against this proposition would retain the current status in which the Kansas constitution does not address transfers to the federal government of ownership interests in entities formed under Kansas law."

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 on 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 of the state at the general election in November in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6005**—

By Representative Sutton

A RESOLUTION recognizing National Catholic Schools Week.

WHEREAS, The week of January 27, 2013, to February 2, 2013, has been designated as National Catholic Schools Week by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and

WHEREAS, The theme for the National Catholic Schools Week 2013 is "Catholic Schools Raise the Standards." The 2013 theme supports the recent launch of the National Standards and Benchmarks for Effective Catholic Elementary and Secondary Schools, that ensures the effective operation and responsible governance of Catholic schools across the country, thus promoting high academic standards and Catholic identity; and

WHEREAS, Catholic schools in the United States are internationally acclaimed for their academic excellence and provide students with more than an exceptional scholastic education; and

WHEREAS, Catholic schools instill a broad, values-added education emphasizing the lifelong development of moral, intellectual and social values in young people in the United States; and

WHEREAS, Catholic schools produce students strongly dedicated to their faith, values, families and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

WHEREAS, Catholic schools are committed to community service, producing graduates who hold "helping others" as one of their core values; and

WHEREAS, In the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, "Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives."; and

WHEREAS, There are 45 Catholic schools of the Archdiocese of Kansas City in Kansas, with a total enrollment of 15,234 students and 7 Catholic schools of the Diocese of Dodge City, Kansas, with a total enrollment of 989 students. There are 16 Catholic schools of the Diocese of Salina, Kansas, with a total enrollment of 2,798 students and 38 Catholic schools of the Diocese of Wichita, Kansas, with a total enrollment of 10,671 students; and

WHEREAS, There are a total of 90 elementary schools and 16 high schools within the Kansas Catholic schools system, totaling 29,692 enrolled students; and

WHEREAS, Almost every Catholic school in Kansas celebrates National Catholic Schools Week with a special All School Mass. In addition, Kansas Catholic schools often host a teacher appreciation day, special service day, special prayer day, student appreciation day and a family appreciation day; and

WHEREAS, Examples of activities undertaken by Kansas Catholic schools during National Catholic Schools Week include writing letters to nursing homes or homeless ministries, praying each class hour and baking cookies for parents who drop off their children at school each morning; and

WHEREAS, Eight Catholic elementary schools and one Catholic high school in Kansas received the 2012 Kansas Governor's Achievement Award. To receive such a prestigious award, a school must have achieved the Standard of Excellence in both reading and mathematics and been among the top 5% of schools in both reading and mathematics in 2012: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we support the continued dedication of Catholic schools across Kansas toward academic excellence and the key role Catholic schools play in promoting and ensuring a brighter, stronger future for students; and

Be it further resolved: That we support the goals of National Catholic Schools Week and recognize the vital contributions of Kansas Catholic schools; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Sutton.

REPORT ON ENGROSSED RESOLUTIONS

HR 6004 reported correctly engrossed January 29, 2013.

REPORT ON ENROLLED RESOLUTIONS

HCR 5001 reported correctly enrolled and properly signed on January 29, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 31, 2013.

Journal of the House

THIRTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 31, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.

Rep. O'Brien was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Kenneth Armstrong, pastor, Westside Baptist Church, Emporia, and guest of Rep. Mast:

Our Gracious God and Heavenly Father we thank you today for the many blessings that you bestow on us. We thank you for our country and the great state in which we live. We pray for all our leaders and their families.

We thank you God for guidance when there are difficult decisions to be made; for provisions in our time of need; and for your love so freely given to all who look to you.

Bless the men and women in this hall for the concern they have and the sacrifice they make as they serve the people of Kansas. Help them to justly and righteously perform the responsibilities of their positions; looking to you alone who are just and righteous altogether.

Give them wisdom and courage as they endeavor to know and do your will.

These things we ask in the name of our wonderful Lord and Savior. Amen

The Pledge of Allegiance was led by Rep. Grosserode.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2176, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Eisenhower foundation license plate, by Representatives Barker, Alford, Becker, Bideau, Bradford, Bridges, Bruchman, Christmann, Crum, Doll, Dove, Edwards, Ewy, Finch, Goico, Hineman, Jennings, Kahrs, Kelly, Kuether, Pauls, Phillips, Rothlisberg, Rubin, Sawyer, Waymaster and Whipple.

HB 2177, AN ACT relating to motor carriers; concerning safety rules and regulations; certificates of convenience and necessity; transportation of certain materials; amending K.S.A. 66-1,129b and K.S.A. 2012 Supp. 66-1,114b and 66-1,129 and repealing the existing sections, by Committee on Transportation.

HB 2178, AN ACT concerning state employees; relating to longevity bonus payments; amending K.S.A. 2012 Supp. 75-5541 and repealing the existing section, by Committee on General Government Budget.

HB 2179, AN ACT concerning the secretary of labor; relating to assignment of wage claims taken by the secretary; amending K.S.A. 2012 Supp. 44-324 and repealing the existing section, by Committee on General Government Budget.

HB 2180, AN ACT concerning certain veterans service organizations; dealing with electronic gaming machines; amending K.S.A. 2012 Supp. 74-8702 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HOUSE CONCURRENT RESOLUTION No. **HCR 5008**—
By Committee on Transportation

A CONCURRENT RESOLUTION encouraging the Kansas Department of Transportation to make engineering decisions based upon established, professional findings and methodologies rather than political considerations.

WHEREAS, The Kansas state highway system contains approximately 9,500 miles of highway, and in the year 2010 in excess of 26 million daily vehicle miles were traveled on them; and

WHEREAS, Users of Kansas highways include those traveling in passenger vehicles, commercial vehicles and on motorcycles; and

WHEREAS, In 2010 there were approximately 80,000 motorcycles registered in the state of Kansas; and

WHEREAS, The Kansas department of transportation has adopted policies relating to the construction and engineering of Kansas highways, but has not followed those policies and may be exposing the state to liability for injuries suffered as a result of not following those policies; and

WHEREAS, The Kansas department of transportation should engineer and design roadways to standards that ensure the safety of all users, including those who ride motorcycles: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we encourage the Kansas Department of Transportation to use professional findings and methodologies when making engineering decisions and not base such decisions upon political considerations; and

Be it further resolved: That the Secretary of State be directed to provide an enrolled copy of this resolution to the Secretary of Transportation.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2167** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Federal and State Affairs, should be corrected to be referred to Committee on Veterans, Military and Homeland Security.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2171**.
 Commerce, Labor and Economic Development: **HB 2158, HCR 5007**.
 Corrections and Juvenile Justice: **HB 2161, HB 2165, HB 2169, HB 2170, HB 2175** (separately).
 Education: **HB 2141**.
 Education Budget: **HB 2140, HB 2142, HB 2148, HB 2149, HB 2151, HB 2156**.
 Elections: **HB 2130, HB 2162, HCR 5006**.
 Federal and State Affairs: **HB 2132, HB 2168, HB 2175** (separately).
 Financial Institutions: **HB 2139, HB 2152**.
 General Government Budget: **HB 2143, HB 2145, HB 2146, HB 2150**.
 Health and Human Services: **HB 2153, HB 2154, HB 2155, HB 2157, HB 2160**.
 Judiciary: **HB 2144, HB 2163, HB 2164, HB 2166, HB 2173**.
 Local Government: **HB 2129, HB 2172**.
 Taxation: **HB 2134, HB 2135, HB 2136, HB 2159, HB 2174**.
 Transportation: **HB 2131, HB 2133, HB 2147**.
 Transportation and Public Safety Budget: **HB 2137**.
 Utilities and Telecommunications: **HB 2138**.

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Chief, Assessment & Restoration Section, Kansas Department of Health & Environment, in accordance with K.S.A. 49-512(h), on behalf of the Treece Relocation Assistance Trust, Project Monthly Expenditure/Income Report for the December 2012 reporting period.

From Patti Petersen-Klein, Executive Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 66-1282, Biennial Report on Electric Supply and Demand, 2013.

From Patti Petersen-Klein, Executive Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 2011 Supp. 66-2005, Annual Price Deregulation Report, 2013.

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

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SCR 1604**.

Also, announcing passage of **SB 7, SB 8, SB 18, SB 20**.

Also, announcing adoption of **SCR 1601**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 7, SB 8, SB 18, SB 20; SCR 1601.

CONSENT CALENDAR

No objection was made to **HB 2006** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2023, AN ACT concerning certain employee organizations; relating to political activities; amending K.S.A. 75-4333 and repealing the existing section, 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, Barker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Osterman, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Corbet, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houser, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Phillips, Proehl, Rooker, Ruiz, Sawyer, Shultz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: O'Brien.

The bill passed.

EXPLANATIONS OF VOTES

MR. SPEAKER: My family is full of teachers. I have my degree in education and just finished serving on my local school board for the past 3½ years and have a record of fighting for pro-teacher issues. I believe **HB 2023** is pro-teacher. It gives teachers the right to decide where their money is spent. The bill doesn't keep union members from writing checks and or setting up automatic bank drafts to support a PAC. The bill doesn't restrict the free speech rights of the union or its members. For these reasons I vote YES on **HB 2023**. — REID PETTY

MR. SPEAKER: I vote yes on **HB 2023**. I believe that the Government should not be allowed to SUPPORT or FACILITATE in any form or manner political activities of any public entity.

What this bill does is prevent ALL public entities from requiring that some portion of the automatic payroll deductions go directly to support political activities. I am against granting this facility to any public entity in order to carry out political activities.

It also firmly maintains every individual's ability to use payroll deduction for union dues.

It does not in any way diminish the fundamental rights of any Union or its members

from carrying on political activities as they desire. – SHANTI GANDHI, RICHARD CARLSON

MR. SPEAKER: I vote YES on **HB 2023**. I am voting yes for this bill because in my business I work with trade organizations and each of them has a PAC. I am always required to write a separate check when making a contribution to one of the PAC's I contribute to. There are many reasons for this but the most referred to are the following: it provides them with separate accountability, transparency and no problem with comingling of moneys. Since most organizations require separate checks then I feel this should not be considered a burden on the public sector unions. – DAN HAWKINS.

MR. SPEAKER: I vote No on **HB 2023**. **HB 2023** is an overtly political attempt to fix a problem that doesn't exist. Teachers, firefighters and other public employees CHOOSE to join unions, and their payroll deduction is 100% voluntary. As with contributions to the United Way or personal savings accounts, automatic payroll deductions merely streamline our desire to fund causes we support. Furthermore, there is essentially no cost to taxpayers for this service. Because I value the contributions of public employees to this state, I support their rights to improve their profession, and because this bill is a thinly-veiled political attack, I voted NO. – JOHN WILSON

MR. SPEAKER: Proponents cautioned against believing the intent of the bill was to harm unions, and yet they gave compelling evidence that in other states such legislation greatly diminished unions. Whatever the true intention, the consequence is clear: RESTRICTED FREEDOM OF SPEECH FOR PUBLIC STATE EMPLOYEES AND TEACHERS.

Proponents said the purpose of the bill was to protect employees from themselves, from “self -imposed pressure.” So in effect, the state will become an intruding “helicopter-parent,” because the state now knows better how adult individuals should choose to spend their own money, than they do themselves. I must disagree. I vote no on **HB 2023**. – NANCY LUSK

MR. SPEAKER: I vote NO on **HB 2023**. **HB 2023** discriminates against public sector employees; limits first amendment rights, and punishes educators. I will not stand aside and remain silent. I stand with public employees in their right to advocate collectively for policies, issues and candidates. They should not be bullied or disenfranchised by an intrusive, paranoid government. – TOM BURROUGHS, MIKE PETERSON

MR. SPEAKER: I vote No on **HB 2023**. Good public policy should reflect the values of individual liberty and constitutional rights. The liberties and rights of teachers, public safety servants and public sector workers are being stripped away for political gain. How shameful. – BOB GRANT

MR. SPEAKER: I am voting in favor of **HB 2023** because it only states that a union member must now write a check for their contribution to the PAC. This does nothing else. – JOE EDWARDS

MR. SPEAKER: No one from my district expressed support for this bill but it has many local opponents. My school boards are satisfied with current law and a major city in my

district has expressed strong concerns about these changes. The wording of the bill may have unintended consequences. I am also concerned about the impact on law enforcement officers, the Kansas Troopers Association, Fraternal Order of Police, Firefighters and other city employees, most of whom were not aware this bill would cover them. I am voting my district, voting No on **HB 2023**. – ED BIDEAU

MR. SPEAKER: I vote no on **HB 2023**. I do not believe public sector employees should have any less opportunity to control the disposition of their pay through payroll deduction than private sector employees. When an individual chooses to work in public employment, they should not be required to give up their ability to direct contributions through payroll deduction simply because they serve the public as a public employee. – RUSS JENNINGS, MELISSA ROOKER

MR. SPEAKER: I voted no on **HB 2023** because it was the wrong Bill, at the wrong time, for the wrong reason. It was a Bill in search of a reason to exist. There was no reason for this Bill to exist. Teachers, firefighters, police officers join a union because they want to, not because they are forced to. This was clearly an attempt to suppress public employees and their first amendment rights. – VIRGIL WEIGEL

MR. SPEAKER: **HB 2023** removes state government from the responsibility of collecting money for public sector unions through automatic paycheck deductions. The bill does not keep union members from writing checks and or setting up automatic bank drafts to support their PAC. The bill does not restrict the free speech rights of the union or its members. Additionally, it does not prevent any fundraising or union political activities. The bill simply takes state government out of the daily function of public sector unions. For these reasons, I vote YES on **HB 2023**. – RANDY GARBER, RAY MERRICK, MARK KAHRs, JIM HOWELL, JOHN BARKER, ALLAN ROTHLSBERG, DAVE CRUM

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Cassidy in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Cassidy, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2022** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Education Budget** recommends **HB 2021**, **HB 2071** 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 and concurrent resolution were thereupon introduced and read by title:

HB 2181, AN ACT concerning licensing bodies; relating to licensure and military service members; relating to certain distance education courses, by Committee on Veterans, Military and Homeland Security.

HB 2182, AN ACT concerning crimes, punishment, and criminal procedure; relating to grand juries; amending K.S.A. 22-3002 and 22-3006 and K.S.A. 2012 Supp. 22-3001, 22-3008 and 43-107 and repealing the existing sections, by Committee on Judiciary.

HB 2183, AN ACT concerning communicable diseases; amending K.S.A. 65-6004 and 65-6008 and K.S.A. 2012 Supp. 65-6001 and repealing the existing sections, by Committee on Health and Human Services.

HB 2184, AN ACT directing the secretary of health and environment to create a state plan for comprehensive treatment of chronic obstructive pulmonary disease, by Committee on Health and Human Services.

HB 2185, 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, by Committee on Local Government.

HB 2186, AN ACT concerning motor vehicle fuel taxes; relating to apportionment of the special city and county highway fund and the county equalization and adjustment fund; dates of transfers; amending K.S.A. 2012 Supp. 79-3425c and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2187, AN ACT enacting the massage therapist licensure act; providing for powers, duties and functions of the state board of nursing, by Committee on Health and Human Services.

HB 2188, AN ACT concerning the open records act; amending K.S.A. 2012 Supp. 45-240 and repealing the existing section, by Representative Brunk.

HB 2189, AN ACT concerning the veterans benefit lottery game; disposition of net profits; establishing the veterans benefit lottery game fund and the national guard benefit lottery game fund; amending K.S.A. 2012 Supp. 74-8724 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2190, AN ACT concerning firearms; relating to possession thereof on certain government property; amending K.S.A. 2012 Supp. 21-6309 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2191, AN ACT concerning utilities; relating to cooperatives; member refunds; amending K.S.A. 17-4623 and repealing the existing section, by Committee on Utilities and Telecommunications.

HB 2192, AN ACT concerning public postsecondary education; concerning residents for purposes of tuition and other fees; amending K.S.A. 2012 Supp. 76-729 and repealing the existing section; also repealing K.S.A. 2012 Supp. 76-731a, by Committee on Federal and State Affairs.

HB 2193, AN ACT concerning accessibility standards for public facilities; amending K.S.A. 58-1301b and repealing the existing section, by Committee on Federal and State Affairs.

HB 2194, AN ACT creating the Kansas business workers and community partnership act, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5009**—
By Committee on Federal and State Affairs

A PROPOSITION to amend article 15 of the constitution of the state of Kansas by adding a new section thereto, authorizing the legislature to regulate, license and tax the operation or conduct of raffles by certain bona fide nonprofit organizations.

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: Article 15 of the constitution of the state of Kansas is hereby amended by adding a new section thereto to read as follows:

"§ 3d. Regulation, licensing and taxation of "raffles" authorized. Notwithstanding the provisions of section 3 of article 15 of the constitution of the state of Kansas, the legislature may regulate, license and tax the operation or conduct of raffles, as defined by law, by bona fide nonprofit religious, charitable, fraternal, educational veterans organizations. No such nonprofit organization shall contract with a professional raffle or other lottery vendor to manage, operate or conduct any raffle."

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

"Explanatory statement. The constitution currently prohibits the operation of lotteries except for specifically authorized lotteries. A raffle is a lottery and is illegal under current law.

"A vote for this proposition would permit the legislature to regulate, license and tax raffles operated or conducted by bona fide religious, charitable, fraternal, educational and veterans nonprofit organizations. The legislature would define what constitutes a raffle. Nonprofit organizations would be prohibited from contracting with a professional lottery vendor to manage, operate or conduct a raffle.

"A vote against this proposition would continue the current prohibition against all raffles."

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 on 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 of the state at the primary election in August in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. **HR 6006**—

By Representative Ward

A RESOLUTION disapproving Executive Reorganization Order No. 42; relating to reorganization of the juvenile justice authority and the department of corrections.

Be it resolved by the House of Representatives of the State of Kansas: That Executive Reorganization Order No. 42 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of Kansas; and

Be it further resolved: That the secretary of state shall transmit a copy of this resolution to the governor; and

Be it further resolved: That the secretary of state shall cause this resolution to be published in the session laws to show permanently the foregoing disapproval of the

HOUSE RESOLUTION No. **HR 6007**—

By Committee on Federal and State Affairs

A RESOLUTION designating the Official Robert (Bob) G. Bethell House of Representatives ballot box.

WHEREAS, Former state representative Bob Bethell served in the House of Representatives representing the 113th district from 1999 until 2012; and

WHEREAS, During the 2002 House of Representatives leadership elections, Representative Bethell recognized that the importance and solemnity of the occasion warranted a ballot box that was more fitting to the stature and prestige of the Kansas House of Representatives; and

WHEREAS, Representative Bethell, being a gifted and talented woodworker, set about crafting a new ballot box made entirely from native Kansas walnut; and

WHEREAS, Representative Bethell presented the newly crafted ballot box to the House of Representatives in December of 2004 for use in the upcoming House of Representatives leadership elections; and

WHEREAS, This same ballot box has been used in each of the House of Representatives leadership elections ever since: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That this handcrafted ballot box shall be designated, and shall henceforth be known as the Official Robert (Bob) G. Bethell House of Representatives ballot box; and

Be it further resolved: That the Official Robert (Bob) G. Bethell House of Representatives ballot box shall be used in the House of Representatives leadership elections in perpetuity; and

Be it further resolved: That henceforth the Official Robert (Bob) G. Bethell House of Representatives ballot box shall be stored and maintained by the Sergeant-at-arms for the House of Representatives; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to former state representative Lorene Bethell and Aletha Ann Pelham.

HOUSE RESOLUTION No. **HR 6008**—

By Representative Victors

A RESOLUTION designating February 6, 2013, as "Native American Legislative Day at the Capitol."

WHEREAS, Native Americans were the first human inhabitants of the land that is now the State of Kansas; and

WHEREAS, The history and culture of the State of Kansas have been significantly influenced by Native American tribes and indigenous peoples; and

WHEREAS, Native American customs and traditions are respected, celebrated and honored as part of a rich legacy throughout the United States; and

WHEREAS, We honor the contributions of Native Americans that have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, We honor the Native American Tribal Chairmen of Kansas and their tribal council members for their service as tribal leaders and role models, and for the continued contributions these men and women make to their tribal communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate February 6, 2013, as "Native American Legislative Day at the Capitol." We urge all Kansans to celebrate the contributions Native American tribes have made and continue to make to the great State of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Representative Victors.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, February 1, 2013.

Journal of the House

FOURTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 1, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 94 members present.

Reps. Boldra, Bradford, Bridges, Dove, Ewy, Gandhi, Goico, Grosserode, Hedke, Houston, Kelley, Lunn, Lusk, Meigs, Rhoades, Rooker, Shultz and Trimmer were excused on legislative business.

Reps. Bideau, Brunk, Frownfelter, Grant, Huebert, Montgomery, Peck, Perry, Peterson, Powell, Ryckman, Sr., Sawyer and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God and Parent of us all,
 in your divine majesty you have made each of us
 in the image of you.
 Our diversity reflects your glory.
 our unity comes from You.
 Today, I invite Your presence on these proceedings
 with faith and assurance that You will lead and direct.
 May we find encouragement from the words of Your prophet, Isaiah:
 "Do you not know?
 Have you not heard?
 The Lord is the everlasting God,
 the Creator of the ends of the earth.
 He will not grow tired or weary,
 and his understanding no one can fathom.
 He gives strength to the weary
 and increases the power of the weak.
 Even youths grow tired and weary,
 and young men stumble and fall;
 But those who hope in the Lord
 will renew their strength.
 They will soar on wings like eagles;
 they will run and not grow weary,
 they will walk and not be faint."

Give our leaders courage to dream new dreams;
to see new possibilities;
and to put their hope in You.
In Christ's Name I pray, Amen.
(Isaiah 40:28-31)

The Pledge of Allegiance was led by Rep. Winn.

PRESENTATION OF PETITIONS

The following petition was presented and filed:

HP 2001, by Rep. Davis, A petition expressing opposition to **HB 2023** and **SB 31**, signed by Colin Curtis and 4,651 other Kansas residents.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2195, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

HB 2196, AN ACT concerning alcoholic beverages; relating to licensure of distributors; amending K.S.A. 2012 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2197, 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 2198, AN ACT enacting the cannabis compassion and care act; providing for the legal use of cannabis for certain debilitating medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment; amending and repealing the existing section; amending K.S.A. 79-5210 and repealing the existing section, by Committee on Vision 2020.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Commerce, Labor and Economic Development: **HB 2179; SB 7.**

Corrections and Juvenile Justice: **HR 6006.**

Education: **HB 2181, HB 2192.**

Federal and State Affairs: **HB 2180, HB 2189, HB 2190, HB 2193, HB 2194; HCR 5009.**

General Government Budget: **HB 2178.**

Health and Human Services: **HB 2183, HB 2184, HB 2187.**

Judiciary: **HB 2182, HB 2188; SB 8, SB 18, SB 20; SCR 1601.**

Local Government: **HB 2185.**

Taxation: **HB 2186.**

Transportation: **HB 2176, HB 2177; HCR 5008.**

Utilities and Telecommunications: **HB 2191.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2003** from Committee on Education and referral to Committee on Education Budget.

Also, the withdrawal of **HB 2129** from Committee on Local Government and referral to Committee on Elections.

Also, the withdrawal of **HB 2160** from Committee on Health and Human Services and referral to Committee on Social Services Budget.

COMMUNICATIONS FROM STATE OFFICERS

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, pursuant to K.S.A. 66-117b, 2013 Utilities and Common Carriers Annual Report.

From Sandy Praeger, Commission of Insurance, Kansas Insurance Department, in accordance with K.S.A. 44-566(a), The Kansas Workers' Compensation Fund, year end report, FY 2012.

From Lawron R. Nuss, Chief Justice, Supreme Court of Kansas, pursuant to K.S.A. 20-320, State of the Judiciary, 2013. An electronic copy may be found at <http://www.kscourts.org/State-of-Judiciary/>.

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Sutton, **HR 6005**, A resolution recognizing National Catholic Schools Week, was adopted.

CONSENT CALENDAR

No objection was made to **HB 2006** 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 Merrick announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2028** be amended on page 1, in line 25, by striking "may hold a hearing and shall determine whether, upon"; by striking all in line 26; in line 27, by striking "require the transfer of" and inserting "shall transfer"; 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. 7, by Representative Victors, commending Wichita Intertribal Warrior Society for their outstanding service to our Country and Native American Communities;

Request No. 8, by Representative Victors, commending Haskell Indian University Veterans' Color Guard for their outstanding service to our Country and Native American Communities;

Request No. 9, by Representative Victors, commending Prairie Band Post 410 Potawatomi Honor Guard for their outstanding service to our Country and Native American Communities;

Request No. 10, by Representative Victors, commending Kickapoo Legion Post 415 Honor Guard for their outstanding service to our Country and Native American Communities;

Request No. 11, by Representative Victors, commending Iowa Tribe of Kansas and Nebraska Honor Guard for their outstanding service to our Country and Native American Communities;

Request No. 12, by Representative O'Brien, congratulating Brian Kroll, of Tonganoxie High School, for being named Kansas Small School Soccer Coach of the Year;

Request No. 13, by Representative O'Brien, congratulating Tonganoxie High School Boys' Soccer Team for being named Kaw Valley League 2012 Boys' Soccer Champions;

Request No. 14, by Representative O'Brien, congratulating Coach Steve Harrell in recognition for Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 15, by Representative O'Brien, congratulating Hannah Pray in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 16, by Representative O'Brien, congratulating Austin Harris in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 17, by Representative O'Brien, congratulating Hunter Cook in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 18, by Representative O'Brien, congratulating Christopher Tiner in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 19, by Representative O'Brien, congratulating Annie Holton in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

Request No. 20, by Representatives Grant and Menghini, congratulating Sandy Horton on his retirement as Sheriff of Crawford County for the past seventeen years and on his thirty-three years of service to the citizens of Crawford County;

Request No. 21, by Representative Mast, congratulating Robert John Kuhn 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. Vickrey, 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 thereupon introduced and read by title:

HB 2199, AN ACT enacting the second amendment protection act, by Representatives Rubin, Alford, Boldra, Bradford, Brunk, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Couture-Lovelady, Crum, DeGraaf, Edwards, Esau, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Jones, Kelley, Macheers, Mast, McPherson, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Read, Rothlisberg, Ryckman Sr., Sawyer, Schwab, Sutton, Todd, Waymaster and Whipple.

HB 2200, AN ACT concerning the executive branch chief information technology officer; relating to duties; 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; amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-9303, 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. 2012 Supp. 46-1503, 74-9304, 74- 9306, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204 and 75-7205 and repealing the existing sections, by Committee on General Government Budget.

HB 2201, AN ACT concerning telecommunications; relating to the state corporation commission, regulation; concerning the Kansas universal service fund, eligibility and disbursements; establishing the telecommunications study committee; amending K.S.A. 66-1,188, 66-2002, 66-2003 and 66-2007 and K.S.A. 2012 Supp. 66-1,187, 66-2005, 66-2006, 66-2008 and 66-2009 and repealing the existing sections, by Committee on Utilities and Telecommunications.

HB 2202, AN ACT concerning transportation; relating to motor carrier regulations, by Committee on Agriculture and Natural Resources.

HB 2203, AN ACT concerning civil procedure; relating to exercise of religion, by Representatives Kinzer, Alford, Boldra, Bradford, Brunk, Christmann, DeGraaf, Dove, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Howell, Huebert, Kahrs, Kelley, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Powell, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Siegfried and Sutton.

HB 2204, AN ACT concerning civil procedure; relating to redemption of real property; amending K.S.A. 2012 Supp. 60-2414 and repealing the existing section, by Committee on Judiciary.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 4, 2013.

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 4, 2013, 11:00 a.m.

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

The roll was called with 120 members present.
Rep. Campbell was excused on verified illness.
Reps. Christmann, Kelley, Kinzer and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today is the first day of a new week.
Help us to look forward and not backward
Help us to not dwell on last week, because it is history –
but to look forward to the new opportunities of this week.
Help us to focus on being and doing our best
in the work You have called us to do.
We ask that You not only give us wisdom today,
but grant us common sense.
We ask that You not only give us understanding and grace,
but grant us patience and endurance with one another.
We ask that You not only direct us in our decisions,
but also guard our mouths and our attitudes.
And as our founding president, George Washington, once prayed,
“direct *our* thoughts, words and work:
and frame us more and more into the likeness of
Thy son Jesus Christ.”
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. McPherson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2205, AN ACT concerning adoption; relating to hearings; time and waiver of notice; amending K.S.A. 59-2133 and repealing the existing section, by Representatives Finch, Barker, Bradford, Christmann, Claeys, Clayton, Concannon, Dierks, Doll, Esau,

Garber, Hawkins, Hill, Howell, Jennings, Jones, Moxley, Perry, Phillips, Rooker, Waymaster, Weber and Wilson.

HB 2206, AN ACT concerning alcoholic beverages; relating to retailer's licenses; amending K.S.A. 41-713 and K.S.A. 2012 Supp. 41-102, 41-301, 41-303, 41-308, 41-311, 41-313, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103 and 41-711, by Committee on Taxation.

HB 2207, AN ACT concerning public health; relating to confined feeding facilities; permits; notice of intent to construct; separation distances; amending K.S.A. 65-1,179, 65-1,180, 65-1,188 and 65-1,194 and K.S.A. 2012 Supp. 65-171d and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2208, AN ACT concerning the commissioner of juvenile justice; powers to establish new community based service alternatives to residential care; new residential services levels; establishment of performance measures; and establishment of payment methodologies, by Committee on Corrections and Juvenile Justice.

HB 2209, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2012 Supp. 22-4902, 22-4904, 22-4905, 22-4906 and 22-4907 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2210, AN ACT concerning elections; relating to change of party affiliation; when not permissible; amending K.S.A. 25-3304 and repealing the existing section, by Committee on Elections.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2195**.

Education: **HB 2197**.

Federal and State Affairs: **HB 2196, HB 2198, HB 2199**.

General Government Budget: **HB 2200**.

Judiciary: **HB 2203, HB 2204**.

Transportation: **HB 2202**.

Utilities and Telecommunications: **HB 2201**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6009**—

By Representative Swanson

A RESOLUTION commemorating Emporia State University's Sesquicentennial.

WHEREAS, Kansas State Normal School was founded by the Kansas Legislature in 1863 for "the instruction of persons, both male and female, in the art of teaching, and in all the various branches that pertain to good common school education, and in the mechanic arts, and in the arts of husbandry and agricultural chemistry, and in the fundamental laws of the United States of America, and in what regards the rights and duties of citizens"; and

WHEREAS, Emporia State University has been a significant part of the State of Kansas and our system of higher education since its founding and throughout its history; and

WHEREAS, Kansas State Normal School became Kansas State Teachers College in 1923, Emporia Kansas State College in 1974, and Emporia State University in 1977; and

WHEREAS, Over 75,000 alumni have served as accountants, artists, bankers, business people, educators, engineers, financial planners, government officials, health care providers, information managers, library scientists, military personnel, musicians, and scientists in addition to other occupations; and

WHEREAS, Emporia State University empowers and engages excellent intellectual opportunities for the people of our state, our nation, and our world through its nationally recognized programs; and

WHEREAS, Emporia State University brings state, regional, national, and international prominence to the Great State of Kansas through its outstanding academic, cultural, and athletic events; and

WHEREAS, Emporia State University will celebrate its sesquicentennial throughout 2013 under the theme: "Changing Lives Since 1863"; and

WHEREAS, Emporia State University will commence to celebrate its 150th anniversary on Founders Day, February 15, 2013: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we celebrate and commemorate the 150th anniversary of Emporia State University; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Emporia State University at 1200 Commercial Street, Emporia, KS 66801.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2006, AN ACT concerning the Kansas rules and regulations filing act; amending K.S.A. 2012 Supp. 77-415 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Campbell, Christmann, Kelley, Kinzer, Peterson, Seiwert.

The bill passed.

HB 2022, AN ACT concerning certain deductions from wages; amending K.S.A. 2012 Supp. 44-319 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 29; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleebl, Lunn, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kueher, Lane, Lusk, Meier, Pauls, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Campbell, Christmann, Kelley, Kinzer, Peterson.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2060** be amended on page 1, in line 9, after "in" by inserting "and claiming as a household";

On page 2, by striking all in lines 41 through 43;

On page 3, by striking all in lines 1 through 4;

On page 4, in line 31, after "in" by inserting "and claiming as a homestead"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2009** be amended on page 3, in line 7, by striking "schooling" and inserting "seeking new employment"; in line 8, after "(iii)" by inserting "in going to or returning from an appointment with a health care provider or"; also in line 8, by striking "and"; in line 10, after "court" by inserting "; and (v) in going to or returning from schooling"; also in line 10, by striking the second "The"; by striking all in line 11; in line 15, by striking "for each charge on which the person failed to"; by striking all in lines 16 and 17; in line 18, by striking "restricted driving privileges" and inserting ". The court shall not assess such reinstatement fee more than one time in a 365-day period"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 5, 2013.

Journal of the House

SIXTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 5, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Peterson, Ryckman, Sr. and Sloan were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord, as we look to You to begin the work of this day,
we first thank you for the beautiful day that You have given us.
Thank You for the health and well-being of our leaders.
I pray Your Scripture over each of these leaders:
help them to accept wise counsel (Proverbs 11:14);
to trust You (Psalm 21:7);
protect them from the influence of the evil one (2 Thessalonians 3:3);
give them discretion, foresight, and understanding in making decisions
(I Chronicles 22:12);
pour out Your Spirit on their leadership today (Proverbs 1:23);
protect them from harm, and bless and protect their families (Psalm 21:11);
and enable them to carry out their duties with humility toward You
and toward others (I Peter 5:5).
These things I pray in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Boldra.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2211, AN ACT concerning driver's licenses and nondriver identification cards; relating to criminal penalties; amending K.S.A. 8-260 and 8-1327 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2212, AN ACT concerning the Kansas commission on veterans affairs; relating to the veterans claims assistance program; relating to the requirements of service grants; amending K.S.A. 2012 Supp. 73-1234 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2213, AN ACT concerning retirement and pensions; relating to the Kansas public

employees retirement system; certain member elections; retirement benefit determinations, one-time payment; membership; amending K.S.A. 2012 Supp. 74-49,135, 74-49,205, 74-49,301, 74-49,306, 74-49,308, 74-49,313 and 74-49,315 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2214, AN ACT concerning income taxation; relating to credits; expenses for household and dependent care services necessary for gainful employment, by Committee on Taxation.

HB 2215, AN ACT concerning school districts; relating to the transportation of nonresident pupils; amending K.S.A. 2012 Supp. 72-1046b and repealing the existing section, by Committee on Education Budget.

HB 2216, AN ACT concerning joint committees; repealing certain joint committees; relating to membership on the joint committee on special claims against the state; amending K.S.A. 12-2015, 19-4109, 38-2007, 46-912, 71-212 and 74-4907 and K.S.A. 2012 Supp. 39-7,162, 46-2801, 65-1,251, 72-5395, 74-4908, 74-4909, 74-4920, 74-4921, 74-4921c, 74-4937, 74-49,129, 74-5001a, 74-5002s, 74-5049, 74-5097, 74-50,123, 74-50,151, 74-50,216, 74-8004, 74-8135, 74-8136, 74-8204, 74-8310, 74-8317, 74-8405, 74-99c07, 75-7423, 75-7427 and 75-7435 and repealing the existing sections; also repealing K.S.A. 46-1604 and 46-2201 and K.S.A. 2012 Supp. 39-7,160, 39-7,161, 46-1801, 46-3001, 46-3501, 46-3701, 74-49,132, 74-49,133 and 75-7425, by Committee on General Government Budget.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2207**.

Commerce, Labor and Economic Development: **HB 2206**.

Corrections and Juvenile Justice: **HB 2208, HB 2209**.

Elections: **HB 2210**.

Judiciary: **HB 2205**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2197** from Committee on Education and referral to Committee on Federal and State Affairs.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2013** 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 2037** 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 and concurrent resolution were thereupon introduced and read by

title:

HB 2217, AN ACT concerning crimes, criminal procedure and punishment; relating to female genital mutilation, by Committee on Corrections and Juvenile Justice.

HB 2218, AN ACT concerning driving under the influence of alcohol or drugs; relating to tests; implied consent; administrative hearings; amending K.S.A. 8-1567a and K.S.A. 2012 Supp. 8-1001 and 8-1020 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2219, AN ACT concerning the Kansas indoor clean air act; relating to smoking on certain premises; amending K.S.A. 2012 Supp. 21-6109 and 21-6110 and repealing the existing sections, by Representatives Garber, Carpenter, DeGraaf, Hawkins, Montgomery, O'Brien, Peck, Rothlisberg, Rubin, Schwab and Seiwert.

HB 2220, AN ACT concerning income tax; relating to compensation of certain persons serving in the armed forces; amending K.S.A. 2012 Supp. 79-32,117 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2221, AN ACT concerning professional negotiations; establishing the equal access act; amending K.S.A. 2012 Supp. 72-5413 and repealing the existing section, by Committee on Education.

HB 2222, AN ACT concerning school districts; relating to policies against bullying; amending K.S.A. 2012 Supp. 72-8256 and repealing the existing section, by Committee on Education.

HB 2223, AN ACT concerning alcoholic liquor; relating to the production and transportation of homemade fermented beverages; amending K.S.A. 41-407 and K.S.A. 2012 Supp. 41-102, 41-104 and 41-501 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2224, AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections, by Committee on Judiciary.

HB 2225, AN ACT repealing the Kansas restraint of trade act; amending K.S.A. 50-504 and K.S.A. 2012 Supp. 66-1,112 and repealing the existing sections; also repealing K.S.A. 50-101, 50-102, 50-103, 50-108, 50-109, 50-110, 50-112, 50-113, 50-115, 50-116, 50-117, 50-131, 50-132, 50-133, 50-136, 50-137, 50-139, 50-147, 50-148, 50-149, 50-153, 50-157, 50-158, 50-159, 50-160, 50-161, 50-162 and 50-508, by Committee on Judiciary.

HB 2226, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 12-344, 13-1220, 13-1221, 19-3505, 19-3507, 25-202, 25-209, 25-2107, 25-2113, 25-2115, 71-1412, 71-1419 and 72-7901 and K.S.A. 2012 Supp. 2-624, 12-363, 24-412, 24-414, 24-506, 25-213, 25-2110 and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037 and 12-1038, by Committee on Elections.

HB 2227, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-1115, 25-2006, 25-2007,

25-2010, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419 and 72-8008 and K.S.A. 2012 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311 and 42-706 and repealing the existing sections, by Committee on Elections.

HB 2228, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; employer payments to group insurance reserve fund; amending K.S.A. 2012 Supp. 74-4927 and repealing the existing section, by Committee on Appropriations.

HB 2229, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2013, June 30, 2014, and June 30, 2015, 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; amending K.S.A. 2012 Supp. 76-3,107 and repealing the existing section, by Committee on Appropriations.

HB 2230, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; authorizing transfers from the expanded lottery act revenues fund for employer contributions for school districts; amending K.S.A. 2012 Supp. 74-8768 and repealing the existing section, by Committee on Appropriations.

HB 2231, AN ACT making and concerning appropriations for fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, 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. 2012 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, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953 and repealing the existing sections, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5010**—

By Representatives Garber, Carpenter, Christmann, Crum, DeGraaf, Ewy, Goico, Hedke, Hoffman, Howell, Huebert, Montgomery, O'Brien, Peck, Rothlisberg, Seiwert and Thimesch

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 on 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 of the state at the primary election in the year 2014.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2091** from Committee on Taxation and referral to Committee on Local Government.

Also, the withdrawal of **HB 2202** from Committee on Transportation and referral to Committee on Agriculture and Natural Resources.

REPORT ON ENROLLED RESOLUTIONS

HR 6004 reported correctly enrolled and properly signed on February 5, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 6, 2013.

Journal of the House

SEVENTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 6, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Peterson, Ryckman, Sr. and Sloan were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Julienne Judd, Wichita Indian United Methodist Church, Wichita, and guest of Rep. Victors:

Creator, I am humbled by the opportunity to come to you on behalf of these people and this day. Make my heart right so my words will be said in a good way. Di-yin, Chi-howa, Daw-kee, Hesa ke tah mese, Gitche Manatou, Wa-Kawn da, Go Hae Do Nay, Agu gux, Ma heo, Oo ne thl na he, Kos nan, Wak on daw, De-os, Higher Power, You who are ever ready to attend those who call you by name and to attend those who have no name for you. As we gather here today, at this time, and in this place we come with humble hearts acknowledging that in our humanness we sometimes have not walked in the right way or treated others as we would ourselves. Look within us at this moment and see what we hold in our hearts, and help us to set aside ourselves as we seek your blessing on all who are here. Help us to listen to each other with an open spirit to really hear beyond words. Provide us with a patient and calm spirit of peace that will cover words that we speak. Help us to let go of bitterness and mistrust that blind us to what you have for us today and in the future. Grant us wisdom to make good decisions and strength to act on those decisions, recognizing that all that we do have an impact on all those around us and to the future of our children, grandchildren, and their grandchildren. Bless those here today, representing all our warriors, those who protect us now, those who have returned, and those who's spirits remain with us forever. May we find joy and blessings in this day you have created for us, Ah-ho, Mequetch, Wado, Yakoke, Mudo, Thank you. We pray this now in all that is sacred and holy. AMEN.

The Pledge of Allegiance was led by Rep. Victors.

INTRODUCTION OF GUESTS

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

It is with great pleasure that I have the opportunity to introduce to the body Mrs. Dyane Smokorowski, or as she is affectionately known by her students, some of whom are with her here today, Mrs. Smoke.

Also appearing with us are Kansas Department of Education Deputy Commissioner Dale Dennis.

I first met Dyane just a few weeks ago, during one of our first Education Committee meetings, where we heard from all the finalists for the special award Mrs. Smoke ultimately won. She and I made a couple of attempts to connect in Andover prior to session startup, but schedule conflicts and events precluded our meeting at that time.

Dyane teaches Advanced Language Arts at Andover Middle School. In addition to her teaching duties, she works with other teachers across Kansas and the nation to help them use technology in a manner that enhances instruction.

Her personality is infectious, and I can easily understand why she was selected to receive this prestigious award. Clearly, she does represent the best Kansas has to offer from the teaching profession.

Dyane, we thank you for your service to Kansas' children and we congratulate you on the event of your receiving this much deserved award.

I will now read you the Proclamation that represents our official acknowledgement of this annual statewide award.

Rep. Hedke presented Mrs. Smokorowski with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2232, AN ACT concerning schools; relating to teachers; relating to the purchase of liability insurance, by Committee on Education.

HB 2233, AN ACT concerning children and minors; establishing the protective parent reform act; amending K.S.A. 2012 Supp. 38-2226 and 38-2230 and repealing the existing sections, by Committee on Children and Seniors.

HB 2234, AN ACT concerning the Kansas turnpike authority; naming the secretary of transportation as the chairperson and chief executive officer; relating to contracts between the authority and the Kansas department of revenue; amending K.S.A. 68-2003 and 68-2021 and repealing the existing sections; also repealing K.S.A. 68-2030, 68-2031, 68-2032, 68-2033, 68-2034, 68-2035, 68-2036, 68-2037, 68-2038, 68-2039, 68-2040, 68-2041, 68-2042, 68-2043, 68-2044, 68-2045, 68-2046, 68-2047, 68-2048, 68-2048a, 68-2048b, 68-2048c, 68-2051, 68-2052, 68-2053, 68-2054, 68-2055, 68-2056, 68-2057, 68-2058, 68-2059, 68-2060, 68-2061, 68-2062, 68-2063, 68-2064, 68-2065, 68-2066, 68-2067, 68-2068, 68-2069, 68-2070, 68-2071, 68-2072, 68-2073, 68-2074,

68-2075, 68-2076, 68-2077, 68-2078, 68-2079, 68-2080, 68-2081, 68-2082, 68-2083, 68-2084, 68-2085, 68-2086, 68-2087, 68-2088, 68-2089, 68-2090, 68-2091, 68-2092, 68-2093, 68-2094, 68-2095, 68-2096, 68-2097, 68-2098, 68-2099, 68-20,100, 68-20,101, 68-20,102, 68-20,103, 68-20,104, 68-20,105, 68-20,106, 68-20,107, 68-20,108, 68-20,109, 68-20,110, 68-20,111, 68-20,112, 68-20,113, 68-20,114, 68-20,115, 68-20,116, 68-20,117, 68-20,118 and 68-20,119, by Committee on Appropriations.

HB 2235, AN ACT concerning the prescription monitoring program advisory committee; membership; amending K.S.A. 2012 Supp. 65-1689 and repealing the existing section, by Committee on Vision 2020.

HB 2236, AN ACT concerning pharmacy students; establishing the pharmacy student loan act; relating to loan forgiveness, by Committee on Vision 2020.

HB 2237, AN ACT concerning the prescription monitoring program; relating to user fees; amending K.S.A. 2012 Supp. 65-1684 and repealing the existing section, by Committee on Vision 2020.

HB 2238, AN ACT concerning the university of Kansas school of pharmacy; telepharmacy; amending K.S.A. 2012 Supp. 75-4709 and repealing the existing section, by Committee on Vision 2020.

HB 2239, AN ACT concerning crimes, criminal procedure and punishment; relating to possession of a firearm during commission of a misdemeanor, by Committee on Federal and State Affairs.

HB 2240, AN ACT concerning fire safety and prevention; prohibiting the use of unmanned aerial luminaries, by Committee on Local Government.

HB 2241, AN ACT concerning energy; relating to renewable energy portfolio standards; amending K.S.A. 2012 Supp. 66-1258 and repealing the existing section, by Committee on Energy and Environment.

HB 2242, AN ACT concerning veterans; relating to state educational institutions; relating to requirements for resident fee purposes; amending K.S.A. 2012 Supp. 76-729 and repealing the existing section, by Committee on Education Budget.

HB 2243, AN ACT concerning health insurance; pertaining to mandated health insurance coverages, by Representatives Hawkins, Crum, Dove, Goico, Osterman, Peck and Siegfried.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2230, HB 2231.**

Corrections and Juvenile Justice: **HB 2217, HB 2218.**

Education: **HB 2221, HB 2222.**

Education Budget: **HB 2215.**

Elections: **HB 2226, HB 2227.**

Federal and State Affairs: **HB 2223, HCR 5010.**

General Government Budget: **HB 2216, HB 2229.**

Health and Human Services: **HB 2219.**

Judiciary: **HB 2211, HB 2224, HB 2225.**

Pensions and Benefits: **HB 2213, HB 2228.**

Taxation: **HB 2214, HB 2220.**

Veterans, Military and Homeland Security: **HB 2212.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6010**—

By Committee on Children and Seniors

A RESOLUTION urging the United States Congress to adopt the parental rights 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.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Goico, **HR 6008**, A resolution designating February 6, 2013, as “Native American Legislative Day at the Capitol,” was adopted.

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

A-Ho legislators! Today is the second anniversary of the “Native American Legislative Day” here at the capitol. I would like to take this opportunity to graciously introduce and welcome our tribal leaders and councils from the Prairie Band Potawatomi, Kickapoo, Sac and Fox and Iowa Nations of Kansas and Nebraska. I also want to introduce our Native American color guards of Kansas. Throughout the history of America, the Native American has been a crucial entity in fighting and defending this great country. Like all our veterans, many have paid the ultimate sacrifice to secure freedom for all Americans here today. Many of our Native brothers and sisters have done this even before the federal government declared our people of the first nations as citizens of this country. It is with these feelings that today Kansas honors our Native American veterans and color guards. I'm humbled and grateful for their sacrifices they have endured for me to stand before you today. In our warrior culture, a soldier's duty will never end, and I'm proud to say that today our warrior veterans are still here helping, supporting, leading and encouraging our native communities with their continuous efforts. It is with this philosophy that I want to take this opportunity to show my gratitude and honor our Native Veterans and to those who have lost their lives in serving this country today here at the Kansas State Capitol. We-Blah-Ha!

Rep. Victors presented framed certificates and Native American blankets to representatives of the Native American Nations. She also presented Speaker Merrick with a Native American blanket.

Rep. Goico also addressed a few remarks to the members of the House.

CONSENT CALENDAR

No objection was made to **HB 2013** appearing on the Consent Calendar for the first day.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2009** be adopted; also, on motion of Rep. DeGraaf, be amended on page 3, in line 12, by striking "and"; also in line 12, after "schooling" by inserting "; and (vi) in going to or returning from any place of worship"; and the bill be passed as amended.

Committee report to **HB 2060** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2067** be passed.

Committee on **Taxation** recommends **HB 2058** be passed.

Committee on **Taxation** recommends **HB 2047** be amended on page 1, in line 18, by striking the second "76-"; in line 19, by striking "6b05" and inserting "76-6b04"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2059** be amended on page 13, following line 9, by inserting:

"Sec. 6. K.S.A. 2012 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For

purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2012 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xv) of subsection (c) of K.S.A. 79-32,117, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2012 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2012 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xiii) of subsection (c), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-

32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining

the federal adjusted gross income of an individual taxpayer.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2012 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2012 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 session laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31,

2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

Also on page 13, in line 10, after "Supp." by inserting "79-32,117,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "Supp." by inserting "79-32,117,"; 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 2244, AN ACT concerning property taxation; relating to watercraft; amending K.S.A. 2012 Supp. 79-213 and 79-306e and repealing the existing sections, by Committee on Taxation.

HB 2245, AN ACT concerning property taxation; relating to severed mineral rights; exemptions; amending K.S.A. 79-420 and repealing the existing section, by Committee on Taxation.

HB 2246, AN ACT concerning peer review for certain technical professions, by Committee on Commerce, Labor and Economic Development.

HB 2247, AN ACT concerning counties; relating to the abatement of nuisances, by

Committee on Local Government.

HB 2248, AN ACT concerning school districts; relating to school finance; authorizing an extracurricular school activities budget, by Committee on Education.

HB 2249, AN ACT concerning city annexation of fire district lands and taxation; amending K.S.A. 2012 Supp. 12-546 and repealing the existing section, by Committee on Local Government.

HB 2250, AN ACT concerning licensure; relating to providers who treat persons with substance use disorders; amending K.S.A. 65-4016 and repealing the existing section, by Committee on Health and Human Services.

HB 2251, AN ACT concerning advanced practice registered nurses; amending K.S.A. 2012 Supp. 65-468, 65-1113, 65-1130 and 65-1626 and repealing the existing sections, by Committee on Health and Human Services.

HB 2252, AN ACT concerning crimes, criminal procedure and punishment; relating to the statute of limitations for rape prosecutions; amending K.S.A. 2012 Supp. 21-5107 and repealing the existing section, by Representatives Finch, Victors, Ballard, Bridges, Claeys, Clayton, Dove, Finney, Hawkins, Houser, Houston, Menghini, Osterman, Peterson, Rooker, Rubin, Ruiz, Tietze, Waymaster, Whipple and Wolfe Moore.

HB 2253, AN ACT concerning abortion; relating to the funding of abortion services; relating to restrictions on late-term abortions; relating to the woman's-right-to-know act; amending K.S.A. 2012 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, by Committee on Federal and State Affairs.

HB 2254, AN ACT concerning children and minors; relating to determination of paternity; amending K.S.A. 2012 Supp. 23-2209 and 65-2409a and repealing the existing sections, by Committee on Judiciary.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6011**—

By Representative Ruiz

A RESOLUTION congratulating the University of Kansas Cancer Center on receiving National Cancer Institute designation.

WHEREAS, The University of Kansas Cancer Center received National Cancer Institute designation in July 2012, fulfilling the university's top research priority; and

WHEREAS, The University of Kansas Cancer Center has been providing the community with cancer treatment and researching cancer since the early 1970s; and

WHEREAS, The University of Kansas Cancer Center is now one of only 67 cancer centers across the nation to receive National Cancer Institute designation; and

WHEREAS, Dr. Roy Jensen, MD, has worked tirelessly along with his staff for the University of Kansas Cancer Center to obtain this designation, which labels KU Cancer Center as one of the best cancer centers in the country; and

WHEREAS, National Cancer Institute designation will allow the University of Kansas Cancer Center to continue to recruit and hire top researchers and apply for funding only available to National Cancer Institute designated centers. This designation will also allow the University of Kansas Cancer Center to expand benefits to members

of the Midwest Cancer Alliance, which brings regional cancer research, care and support professionals together; and

WHEREAS, National Cancer Institute designation is an amazing achievement for the University of Kansas, which the community, as well as the entire State of Kansas, can celebrate: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the University of Kansas Cancer Center on receiving National Cancer Institute designation. This is a true accomplishment for the University of Kansas, and it is an award all Kansans can be proud of; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide three enrolled copies of this resolution to the University of Kansas Cancer Center.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 7, 2013.

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 7, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Shultz was excused on legislative business.

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

Prayer by guest chaplain, the Rev. Terry Fox, pastor, Summit Church, Wichita, and guest of Rep. Edwards:

Heavenly Father,

We give you thanks for our country, and especially for the state of Kansas. We pray for Governor Brownback, and all the Legislators that have authority and responsibility to govern our great state. We pray that these leaders will be men and women of integrity and desire to be pleasing to You and who seek to honor the Holy Scriptures. Give them courage to stand for righteousness, even when it is not politically correct. Deliver us from evil and from evil people. Please forgive us of all our sins and make us willing to repent so that You can heal our land. We ask for Your favor and blessings upon the state of Kansas, as well as our nation – and that we would prosper abundantly as Your Word proclaims in John 10:10.

Lord, we ask you to be with our men and women who are serving in the military, both here and abroad. Please give to them Divine Guidance and protection.

We thank you for the rain that we have received and we humbly call on you to bless our state with more needed rain.

We ask all of this today in name of the Lord Jesus Christ who watches over the state of Kansas, our nation, and the world. Amen.

The Pledge of Allegiance was led by Rep. Couture-Lovelady.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Children and Seniors: **HB 2233; HR 6010.**
 Commerce, Labor and Economic Development: **HB 2246.**
 Corrections and Juvenile Justice: **HB 2239, HB 2252.**
 Education: **HB 2232.**
 Education Budget: **HB 2236, HB 2242, HB 2248.**
 Energy and Environment: **HB 2241.**
 Federal and State Affairs: **HB 2253.**
 General Government Budget: **HB 2237.**
 Health and Human Services: **HB 2235, HB 2238, HB 2250, HB 2251.**
 Insurance: **HB 2243.**
 Judiciary: **HB 2254.**
 Local Government: **HB 2240, HB 2247, HB 2249.**
 Taxation: **HB 2244, HB 2245.**
 Transportation: **HB 2234.**

MESSAGE FROM THE GOVERNOR

February 5, 2013

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

Enclosed herewith is Executive Directive No. 13-438 for your information.

EXECUTIVE DIRECTIVE No. 13-438
 Concerning 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.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Ruiz, **HR 6011**, A resolution congratulating the University of Kansas Cancer Center on receiving National Cancer Institute designation, was adopted.

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

It is very much a privilege to be asked to offer this resolution honoring the University of Kansas Medical Center, Dr. Roy Jensen, his staff and all those who made this NCI designation possible. It is timely with the recent death of my brother from cancer.

NCI designation will allow the cancer center to continue recruiting top researchers, apply for federal funding and open more clinical trials only available to NCI-designated centers. The cancer center will be able to expand benefits to members of the Midwest

Cancer Alliance, which brings regional cancer research, care and support professionals together. Designation will also allow the center to build new business opportunities and provide even better access to research.

CONSENT CALENDAR

No objection was made to **HB 2013** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2009, AN ACT concerning the uniform act regulating traffic; relating to failure to comply with traffic citation; restricted driving privileges; amending K.S.A. 2012 Supp. 8-2110 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 63; Nays 60; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Carlin, Carlson, Cassidy, Crum, Davis, Dillmore, Doll, Edwards, Ewy, Finney, Frownfelter, Gandhi, Goico, Grant, Henderson, Henry, Hermanson, Hibbard, Houston, Jennings, Johnson, Kleeb, Kuether, Lane, Lunn, Lusk, Meier, Menghini, Merrick, Osterman, Pauls, Perry, Peterson, Petty, Phillips, Proehl, Rothlisberg, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Becker, Bideau, Brunk, Campbell, Carpenter, Christmann, Claeys, Clayton, Concannon, Corbet, De Graaf, Dierks, Dove, Edmonds, Esau, Finch, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kelly, Kinzer, Macheers, Mast, McPherson, Meigs, Montgomery, Moxley, O'Brien, Peck, Powell, Read, Rhoades, Rooker, Rubin, Ryckman Jr., Schwab, Seiwert, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Ward, Weber.

Present but not voting: None.

Absent or not voting: Shultz, Victors.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: We vote no on **HB 2009** because all fines are now reduced to the fee to reinstate. The state cannot prove if the driver is on his way to work, looking for work, or going to worship. They could be going 500 in a 30, yet the penalty is reduced to \$84.

-- SCOTT SCHWAB, MELISSA ROOKER, STEVEN BECKER, JOHN RUBIN, JOSH POWELL

MR. SPEAKER: I work in a liquor store and too often individuals with restricted licenses or non-driving ID's drive up to purchase liquor. Many people drive carefully to avoid traffic violations because they do not have the resources to pay the fines or the time to appear in court. Avenues should be made available for people that do violate traffic laws to make payments on traffic citations if they have financial difficulties, but individuals that refuse to put money toward their fines should deal with the daily disruptions caused by a suspended license. For these reasons, I vote NO on **HB 2009**. -- JAMES TODD

HB 2060, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-4505 and K.S.A. 2012 Supp. 79-4502 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Shultz, Victors.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Seiwert in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Seiwert, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2028** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2030** be amended on page 1, in line 27, after "or" by inserting "eligible individuals to award"; in line 30, by striking "or" and inserting "permits and individuals awarded"; in line 35, after "lifetime" by inserting "or wounded warrior";

On page 2, in line 4, by striking "or wounded"; in line 5, by striking "warrior"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2041** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2034** be amended on page 2, in line 11, by striking "covert"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2066** be amended on page 1, in line 29, by striking "The physical therapist shall transmit to the licensed health care"; by striking all in lines 30 and 31; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2015**, **HB 2114** be passed.

Committee on **Judiciary** recommends **HB 2081** be amended on page 3, in line 9, by striking "a"; in line 10, by striking "violation of"; 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 2255, AN ACT concerning economic development; investment in telecommunications machinery and equipment; promoting broadband across Kansas, by Committee on Commerce, Labor and Economic Development.

HB 2256, AN ACT concerning criminal procedure; relating to municipal courts; relating to appearance bonds; amending K.S.A. 12-4301 and 12-4303 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2257, AN ACT concerning the board of barbering; relating to licensed barbers; inspection of cosmetology services salons; amending K.S.A. 65-1812, 65-1827, 65-1904a and 74-1807 and K.S.A. 2012 Supp. 65-1817 and 65-1824 and repealing the existing sections, by Representative Sloan.

HB 2258, AN ACT repealing the Kansas restraint of trade act; amending K.S.A. 50-504 and K.S.A. 2012 Supp. 66-1,112 and repealing the existing sections; also repealing K.S.A. 50-101, 50-102, 50-103, 50-108, 50-109, 50-110, 50-112, 50-113, 50-115, 50-116, 50-117, 50-131, 50-132, 50-133, 50-136, 50-137, 50-139, 50-147, 50-148, 50-149, 50-153, 50-157, 50-158, 50-159, 50-160, 50-161, 50-162 and 50-508, by Committee on Commerce, Labor and Economic Development.

HB 2259, AN ACT concerning domestic relations; relating to dissolution of marriage; service of process; amending K.S.A. 2012 Supp. 23-2704 and repealing the existing section, by Committee on Judiciary.

HB 2260, AN ACT concerning elections; dealing with voter identification; amending K.S.A. 2012 Supp. 25-2908 and repealing the existing section, by Committee on Elections.

HB 2261, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2012 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, by Committee on Education.

HB 2262, AN ACT concerning the oil and gas valuation depletion trust fund; relating to transfer of moneys to the state general fund; abolishing the fund; amending K.S.A. 2012 Supp. 19-101a and 79-4227 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 19-271 and 79-4231, by Committee on Appropriations.

HB 2263, AN ACT concerning school districts; enacting the school district special needs scholarship program act, by Committee on Education.

HB 2264, AN ACT concerning school districts; relating to capital improvements; amending K.S.A. 2012 Supp. 75-2319 and repealing the existing section, by Committee on Education.

HB 2265, AN ACT concerning school districts; relating to instruction expenditures; amending K.S.A. 2012 Supp. 72-64c01 and repealing the existing section, by

Committee on Education.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2032** from Committee on Health and Social Services Budget and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2009, HB 2060 reported correctly engrossed February 6, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6005 reported correctly enrolled and properly signed on February 7, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, February 8, 2013.

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 8, 2013, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Ballard, Becker, Grosserode, Huebert and Victors were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
In Paul's letter to the church in Corinth, he writes:
"But because God was so gracious, so very generous, here I am.
And I'm not about to let His grace go to waste.
Haven't I worked hard trying to do more than any of the others?
Even then, my work didn't amount to all that much.
It was God giving me the work to do,
God giving me the energy to do it."
(I Corinthians 15:10-11)

Lord, help us to focus on what is important to You right now.
Help us to know what it is You want us to do
that will help us to make a difference today.
We know You have a plan.
We know You want us to succeed.
We know You have our best interest at heart
and want us to help others.
Show us today how to use our time effectively for You
and make a difference.
In Jesus Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Wilson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2266, 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. 2012

Supp. 25-4143 and repealing the existing sections, by Committee on Elections.

HB 2267, AN ACT concerning income taxation; relating to credits; high performance incentive program; amending K.S.A. 2012 Supp. 74-50,131 and repealing the existing section, by Committee on Taxation.

HB 2268, AN ACT concerning income taxation; relating to deductions; certain long-term care premiums; amending K.S.A. 2012 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2269, AN ACT designating a portion of Kansas highway 92 as the John Bowers memorial highway; amending K.S.A. 2012 Supp. 68-1060 and repealing the existing section, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2262**.

Commerce, Labor and Economic Development: **HB 2255, HB 2258**.

Corrections and Juvenile Justice: **HB 2256**.

Education: **HB 2261, HB 2263, HB 2264**.

Education Budget: **HB 2265**.

Elections: **HB 2260**.

Health and Human Services: **HB 2257**.

Judiciary: **HB 2259**.

COMMUNICATIONS FROM STATE OFFICERS

From Ray Roberts, Secretary, Kansas Department of Correction, pursuant to K.S.A. 75-52,148, report of Crimes Committed by Sex Offenders While in Custody.

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

MESSAGE FROM THE SENATE

Announcing passage of **SB 16, SB 19, SB 21, SB 26, SB 28, SB 34, SB 35, SB 40, SB 46, SB 58, SB 61**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 16, SB 19, SB 21, SB 26, SB 28, SB 34, SB 35, SB 40, SB 46, SB 58, SB 61.

CONSENT CALENDAR

No objection was made to **HB 2013** 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 2013, AN ACT concerning crimes and punishment; relating to perjury; amending

K.S.A. 2012 Supp. 21-5903 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Becker, Grosserode, Huebert, Kelley, Victors.

The bill passed.

HB 2028, AN ACT concerning forfeiture; relating to venue in forfeiture proceedings; amending K.S.A. 60-4103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: McPherson.

Present but not voting: None.

Absent or not voting: Ballard, Becker, Grosserode, Huebert, Victors.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Weber in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Weber, Committee of the Whole report, as follows, was adopted:
Recommended that **HB 2067** be passed.

Committee report to **HB 2059** be adopted; also, roll call was demanded on motion of Rep. Ward to amend on page 20, following line 12, by inserting:

"New Sec. 7. (a) Commencing in tax year 2013, and all tax years thereafter, there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 25% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 21 of the federal internal revenue code for expenses for household and dependent care services necessary for gainful employment for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual."; in line 13, by striking "7." and inserting "8."; in line 16, by striking "8." and inserting "9.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "modifications;" by inserting "credits;"

On roll call, the vote was: Yeas 30; Nays 88; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Ballard, Becker, Grosserode, Huebert, Peterson, Suellentrop, Victors.

The motion of Rep. Ward did not prevail.

Also, on motion of Rep. Dillmore to amend **HB 2059**, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2049** be

amended on page 1, in line 31, before the period by inserting ", except that on and after July 1, 2019, the application fee per category shall be \$112 per category in which the licensee applies"; in line 35, before the period by inserting ", except that on and after July 1, 2019, an additional fee of \$10 shall be paid for each uncertified individual employed by the applicant to apply pesticides";

On page 2, in line 42, before the period by inserting ", except that on and after July 1, 2019, such fee shall not exceed \$35";

On page 4, in line 9, before "and" by inserting ", except that on and after July 1, 2019, such fee shall not exceed \$25."; in line 35, before the period by inserting ", except that on and after July 1, 2019, such fee shall not exceed \$35 per examination"; in line 39, before the period by inserting ", except that on and after July 1, 2019, such fee shall not exceed \$35 per examination";

On page 5, in line 38, before "such" by inserting "that on and after July 1, 2019,";

On page 6, in line 38, before the period by inserting ", except that on and after July 1, 2019, a chemigation user's permit shall be \$55 plus \$10 for each additional point of diversion";

On page 7, in line 43, before the period by inserting ", except that on and after July 1, 2019, such certification shall be \$10";

On page 8, in line 6, before "\$200" by inserting "\$120, or commencing July 1, 2002, and ending July 1, 2019, a license fee of"; in line 11, before "\$200" by inserting "\$120, or commencing July 1, 2002, and ending July 1, 2019, a license fee of"; in line 17, before ""\$35," by inserting "\$25 or commencing July 1, 2002, and ending July 1, 2019, a license fee of"; in line 25, before "\$100" by inserting "\$50", or commencing July 1, 2002, and ending July 1, 2019, a license fee of"; in line 31, before "\$100" by inserting "\$50, or commencing July 1, 2002, and ending July 1, 2019, a license fee of";

On page 9, in line 19, before "\$.015" by inserting "\$.01, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 27, before "\$.02" by inserting "\$.01, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 32, before "\$.02" by inserting "\$.01, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 39, before "\$.015" by inserting "\$.01, or commencing July 1, 2002, and ending July 1, 2019, a fee of";

On page 10, in line 6, before "\$.02" by inserting "\$.0075, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 15, before "\$2" by inserting "\$1, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 24, before "\$2" by inserting "\$1, or commencing July 1, 2002, and ending July 1, 2019, a fee of";

On page 12, following line 4, by inserting:

"On and after July 1, 2019, the application fee shall be fixed by this section for the appropriate category of acre feet in accordance with the following:

Acre Feet	Fee
0 to 100.....	\$100
101 to 320.....	\$150
More than 320.....	\$150 + \$10
	for each additional 100
	acre feet or any part thereof";

Also on page 12, following line 27, by inserting:

"On and after July 1, 2019, the application fee shall be fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet.....	Fee
0 to 250.....	\$100
More than 250.....	\$100 + \$10
	for each additional 250 storage-acre feet or any part thereof";

On page 13, following line 39, by inserting:

"On and after July 1, 2019, the application fee shall be set forth in the schedule below:

(1) Application to change a point of diversion 300 feet or less	\$50
(2) Application to change a point of diversion more than 300 feet	100
(3) Application to change the place of use	100
(4) Application to change the use made of the water	150";

On page 14, following line 30, by inserting:

"On and after July 1, 2019, the application fee shall be set forth in the schedule below:

Acre Feet.....	Fee
0 to 100.....	\$100
101 to 320.....	\$100
More than 320.....	\$150 + \$10
	for each additional 100 acre feet or any part thereof";

On page 15, following line 11, by inserting:

"On and after July 1, 2019, the application fee shall be set forth in the schedule below:

Storage-Acre Feet.....	Fee
0 to 250.....	\$100
More than 250.....	\$100 + \$10
	for each additional 250 acre feet or any part thereof";

On page 16, in line 38, before "except" by inserting "or on and after July 1, 2019, a fee of \$200,";

On page 17, in line 4, before "\$100" by inserting "\$50, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 8, before "\$200" by inserting "\$100, or commencing July 1, 2002, and ending July 1, 2019, a fee of"; in line 24, before the period by inserting ", or on and after July 1, 2019, a fee of \$100"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2065** be amended on page 1, in line 5, by striking ":"; by striking all in lines 6 through 9; in line 10, by striking "(2)"; in line 11, by striking "(A)" and inserting "(1)"; in line 13, by striking "(B)" and inserting "(2)"; in line 15, by striking "(C)" and inserting "(3)", in line 17, by striking "(D)" and inserting "(4)";

On page 2, in line 38, after "units;" by inserting "and"; in line 41, by striking "and"; by striking all in lines 42 and 43 and inserting:

"(d) This section shall be part of and supplemental to the Kansas criminal code."; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2007** be passed.

Committee on **Transportation** recommends **HB 2011** be amended on page 4,

following line 5, by inserting:

"Sec. 2. K.S.A. 8-177a is hereby amended to read as follows: 8-177a. (a) 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 the state of Kansas, and who is a regularly enlisted or retired, warrant or commissioned member of the Kansas national guard, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such motor vehicle or truck that is not required to be registered with the state corporation commission designating the owner or lessee of such vehicle as a member or retired member of the Kansas national guard. 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.

(b) Any such member or retired member of the Kansas national guard may make application for such distinctive license plates, not less than 60 days prior to such member's renewal of registration date, on a form furnished by the director of vehicles, and any applicant for such distinctive license plates shall furnish the director with such applicant's armed forces of the United States identification card as proof that the applicant is a member or a retired member of the Kansas national guard. Application for the registration of passenger vehicles or trucks and issuance of the distinctive 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.

(c) No registration or distinctive license plate issued under this section shall be transferable to any other person.

(d) 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 has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(e) The adjutant general, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a distinctive license plate for issuance to members and retired members of the Kansas national guard.

(f) The secretary of revenue shall adopt rules and regulations to establish a procedure for allowing the transfer of distinctive license plates issued pursuant to this section from one vehicle to another for which such distinctive plates were originally issued, when the title to the original vehicle has not been transferred and the name or names of the owner or owners listed on the titles to both vehicles are identical."

Also on page 4, in line 6, before "K.S.A." by inserting "K.S.A. 8-177a and"; also in line 6, by striking "is" and inserting "are"; in line 7, after "after" by inserting "January 1, 2014, and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating" and inserting "making educational institution plates available"; after "motorcycles;" by inserting "transferability of certain plates;"; in line 2, after "amending" by inserting "K.S.A. 8-177a and"; by striking "section" and inserting "sections"; 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 Peck, congratulating Lewis and Judy Johnson on celebrating their 50th Wedding Anniversary on February 7, 2013;

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. Vickrey, 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 thereupon introduced and read by title:

HB 2270, AN ACT concerning the personal and family protection act; relating to carrying concealed handguns in public buildings; amending K.S.A. 2012 Supp. 21-6309, 75-7c10 and 75-7c17 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2271, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 12-344, 13-1220, 13-1221, 19-2680, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-212, 25-610, 25-1115, 25-2003, 25-2004, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2022a, 25-2023, 25-2024, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-3503, 71-1402, 71-1403, 71-1403a, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419, 71-1420, 72-7901, 72-8003 and 72-8008 and K.S.A. 2012 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2021, 25-2102, 25-2108a, 25-2110, 25-2311, 42-706 and 71-1415 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 25-2005, 71-1404, 71-1405, 71-1406, 71-1407, 71-1409, 71-1410, 71-1411, 72-8001, 72-8002, 72-8004, 72-8005, 72-8006, 72-8007 and 72-8009 and K.S.A. 2012 Supp. 25-2110a, by Committee on Federal and State Affairs.

HB 2272, AN ACT concerning property tax exemption; relating to industrial revenue bond property tax abatement; amending K.S.A. 2012 Supp. 79-201a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2273, 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. 2012 Supp. 12-17,166, 74-50,131, 74-50,212, 79-32,154 and

79-32,243 and repealing the existing sections, by Representatives Tietze, Ballard, Bridges, Burroughs, Carlin, Davis, Finney, Frownfelter, Grant, Henderson, Houston, Kuether, Menghini, Pauls, Peterson, Ruiz, Sawyer, Sloop, Trimmer, Victors, Weigel, Whipple, Wilson and Winn.

HB 2274, AN ACT concerning the department of corrections; relating to the qualifications of the secretary of corrections; amending K.S.A. 2012 Supp. 75-5203 and repealing the existing section, by Committee on Judiciary.

HB 2275, AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections, by Committee on Judiciary.

HB 2276, AN ACT concerning the department of corrections; relating to prison-made goods; amending K.S.A. 2012 Supp. 75-5275 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2277, AN ACT concerning law enforcement; relating to the juvenile justice authority; amending K.S.A. 2012 Supp. 38-2386 and 74-5602 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2278, AN ACT concerning crimes, criminal procedure and punishment; relating to theft, burglary and criminal deprivation; relating to firearms; amending K.S.A. 2012 Supp. 21-5801, 21-5803 and 21-5807 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2279, AN ACT pertaining to the purchase of goods made or manufactured in the United States; enacting the Kansas buy American act, by Representatives Davis, Burroughs, Ballard, Bridges, Carlin, Finney, Frownfelter, Grant, Henderson, Houston, Kuether, Menghini, Peterson, Sawyer, Sloop, Tietze, Trimmer, Victors, Weigel, Whipple, Wilson, Winn and Wolfe Moore.

HB 2280, AN ACT concerning school districts; establishing celebrate freedom week and related curriculum, by Representatives Meigs, Boldra, Bradford, Brunk, Couture-Lovelady, DeGraaf, Dove, Gonzalez, Grosserode, Hermanson, Hibbard, Hildabrand, Hoffman, Jones, Kleeb, Lunn, Macheers, Mast, McPherson, Montgomery, O'Brien, Osterman, Powell, Read, Ryckman Jr., Ryckman Sr., Schwab, Siegfried, Sutton and Todd.

HB 2281, AN ACT concerning voter registration; relating to proof of citizenship; amending K.S.A. 2012 Supp. 25-2309 and 65-2418 and repealing the existing sections, by Representatives Finney, Ballard, Carlin, Grant, Henderson, Houston, Kuether, Menghini, Sawyer and Winn.

CHANGE OF REFERENCE

Having been referred separately, **HB 2077** is withdrawn from Committee on Commerce, Labor and Economic Development and remains in Committee on Veterans, Military and Homeland Security.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6012**—

By Committee on Insurance

A RESOLUTION encouraging the state of Kansas to enter into a state partnership health insurance exchange.

WHEREAS, The patient protection and affordable care act (public law 111-148), as amended by the federal health care and education reconciliation act of 2010 provided that states have the option to establish their own health insurance exchange; and

WHEREAS, The time for the state of Kansas to establish its own health insurance exchange pursuant to the patient protection and affordable care act (public law 111-148), as amended by the federal health care and education reconciliation act of 2010 has passed; and

WHEREAS, If the state of Kansas wishes to have any control over any health care exchange which may sell health insurance policies in this state, then the state of Kansas should seriously consider entering into a state partnership health insurance exchange with the federal department of health and human services; and

WHEREAS, Entry into a state partnership health insurance exchange with the federal department of health and human services would be highly beneficial to the people of this state because the department of insurance then could continue to approve insurance rates, as well as approve policies offered on the exchange, and assist Kansas consumers with their complaints; and

WHEREAS, The time period in which the state of Kansas can enter into a state partnership health insurance exchange is quite short and ends on February 15, 2013: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we encourage the commissioner of insurance to take all steps necessary to enter into a state partnership health insurance exchange with the federal department of health and human services.

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Governor Sam Brownback; Sandy Praeger, Commissioner of Insurance; and Kathleen Sebelius, Secretary of the Department of Health and Human Services.

REPORT ON ENGROSSED BILLS

HB 2028 reported correctly engrossed February 7, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6008 reported correctly enrolled and properly signed on February 8, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 11, 2013.

Journal of the House

TWENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 11, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.

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

Prayer by guest chaplain, Deacon Everett Schultz, First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

Our Father in Heaven,

We come before Thee this morning praising You and thanking you for Your many blessings. We have been so abundantly blessed in our land, and we acknowledge that it is from Your Hand. You are the creator of this land, and we are privileged to live in it because of Your love and mercy. I thank you Father that this great Hall still opens its sessions with prayer.

Dear Father, please give the people in this room wisdom and guidance. I thank you that you have selected them to be elected and to serve in this great House. I pray that you will bless them. And I pray that they will be true to their campaign promises and honor you in truth as they serve. Your Word states that the "*The fear of the Lord is the beginning of wisdom.*" Proverbs 9:10 Therefore, Father, I ask that you will give them wisdom and understanding so that they will be able to make truthful decisions that will meet the needs of this great state not only for us today, but also for our children and grand-children, and honor those who elected them based on their promises. Your Word also states that "*He who walks with integrity, and works righteousness, and speaks truth from his/her heart*", "*will abide in Thy tent.*" Psalm 15:3, 1

Father, I realize there are many different viewpoints in this room. But there is only one state of Kansas. Help these people to be unified with one another, regardless of political party or area of the state, so that the good of the entire state is done, and not their own desires and purposes. Work in each one's heart here today Father to bring unity. I ask that you cause them to do

Your will, and not their own, and may the decisions made reflect
Your glory and provide for the betterment of the state of Kansas.
I ask these things in Thy holy name O Lord. Amen

The Pledge of Allegiance was led by Rep. Seiwert.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2282, AN ACT concerning schools; establishing the personal financial literacy incentive program, by Committee on Education.

HB 2283, AN ACT concerning nurse aide trainees; criminal background checks, by Committee on Children and Seniors.

HB 2284, AN ACT concerning health insurance; pertaining to prescription drug coverage; amending K.S.A. 2012 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representatives Trimmer, Alcalá, Ballard, Bridges, Carlin, Finney, Henderson, Henry, Houser, Houston, Kuether, Lane, Lusk, Menghini, Pauls, Peterson, Ruiz, Sawyer, Sloop, Tietze, Weigel, Wilson, Winn and Wolfe Moore.

HB 2285, AN ACT concerning property taxation; relating to definitions; commercial and industrial machinery and equipment; amending K.S.A. 79-102 and repealing the existing section, by Committee on Taxation.

HB 2286, AN ACT concerning income taxation; relating to deductions; modifications; net operating losses; amending K.S.A. 2012 Supp. 79-32,117, 79-32,138, 79-32,143 and 79-32,266 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Commerce, Labor and Economic Development: **HB 2272, HB 2273, HB 2276, HB 2279.**

Corrections and Juvenile Justice: **HB 2274, HB 2277, HB 2278; SB 16, SB 19, SB 40, SB 58, SB 61.**

Education: **HB 2280.**

Elections: **HB 2266, HB 2271, HB 2281.**

Federal and State Affairs: **HB 2270; SB 21, SB 34, SB 35.**

General Government Budget: **SB 28.**

Health and Human Services: **SB 46.**

Insurance: **HR 6012; SB 26.**

Judiciary: **HB 2275.**

Taxation: **HB 2267, HB 2268.**

Transportation: **HB 2269.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2086** from Committee on Taxation and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2192** from Committee on Education and referral to

Committee on Federal and State Affairs.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Edmonds, **HR 6007**, A resolution designating the Official Robert (Bob) G. Bethell House of Representatives ballot box, was adopted.

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

Before we begin I would request your indulgence in allowing me to invite Bob Bethell's family to join me in the well. With us this morning is Bob's widow, Representative Lorene Bethell. Also with us is Bob and Lorene's daughter Aletha Pelham. She is joined by her husband Todd Pelham.

I had the great good fortune to know Bob Bethell for the last fifteen years of his life. Eight of those years we served together in this House. He was my colleague and my very good friend. He was a fine gentleman, an outstanding legislator, and most of all a devout man of God. I shall always miss him terribly.

Those of us who had the honor to serve with Bob knew him for his substantial intellect, for his great fund of knowledge, particularly in the health care arena, and for his passion to aid and protect society's most vulnerable members. He was a tireless advocate for the elderly, the disabled, and the disadvantaged. Many in this state have been benefitted by Representative Bethell's efforts.

Some of us were also privileged to have known Bob in his pastoral capacity. While serving the 113th district in the House, Bob also pastored two churches in Rice County, one at Alden and the other at Raymond. Bob included my own family amongst his extended flock, presiding at grave side services for my father-in-law's funeral here in Topeka and later doing the same at my mother's funeral in Lost Springs. The Edmonds and Larsen families will always hold Pastor Bethell in high esteem.

Perhaps a less expected aspect of Bob's persona might be the surprisingly talented and versatile Craftsman Bethell, or perhaps more aptly, Bob the Builder. It turns out that Bob could express himself as well with his hands as he could with his mind and his voice. Bob could build on the macro level, producing wonderfully serviceable buildings such as his monitor-style barn and the locally famous Garage-Mahal. He did beautiful and utilitarian work which can be seen today in the extensive remodel and restoration which he and Lorene performed on their handsome residence in Alden. Bob could build and finish fine furniture. He could make and repair chiming clocks, both antique and modern. There was precious little to which he could not successfully turn his hand.

Which brings us to today's business.

It seems that, after the completion of the 2002 leadership elections, Bob zinged Jeff Russell about using a shoe box as a ballot box for the recently completed elections. Bob is said to have asked Jeff if that was the best he could do. According to the Hutch News, Jeff responded "I understand you're a wood worker. Why don't you do something better?" Bob is said to have answered him, "Well, I will."

And he did.

Since 2004, the House leadership elections have been conducted using the beautiful

walnut ballot box which Bob and Lorene Bethell made. This is the box. If you look at it closely, and I invite you to do so, I think you will agree with me that it is an exquisite piece of craftsmanship. Lorene has graciously donated it to the House to be kept in perpetuity for use in leadership elections.

Mr. Speaker, would you please direct the Sargent at Arms to come to the well now and receive custody of the Official Robert (Bob) G. Bethell Ballot Box?

Representative Bethell, on behalf of the House I want to thank you for this noble gift.

Former Rep. Lorene Bethell also addressed a few remarks to the members of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker Merrick announced that order of business, Final Action on Bills and Concurrent Resolutions, would be delayed until after Committee of the Whole.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Garber in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Garber, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2015** be passed.

HB 2030 be passed over and retain a place on the calendar.

Committee report to **HB 2081** be adopted; and the bill be passed as amended.

Committee report to **HB 2034** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2141** be passed.

Committee on **Financial Institutions** recommends **HB 2096** be passed.

Committee on **Local Government** recommends **HB 2035** 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 thereupon introduced and read by title:

HB 2287, AN ACT creating the Kansas inspector general act; amending K.S.A. 25-4001 and 25-4002 and K.S.A. 2012 Supp. 21-5904, 45-217, 45-221, 46-247, 74-5602, 75-2973 and 75-7024 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 45-221j, 45-221k and 75-7427, by Committee on Federal and State Affairs.

HB 2288, AN ACT concerning crimes, criminal procedure and punishment; relating to offender registration; relating to postrelease supervision; amending K.S.A. 2012 Supp. 22-3717 and 22-4906 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2289, AN ACT concerning schools; relating to curriculum standards; amending

K.S.A. 2012 Supp. 72-6439 and repealing the existing section, by Committee on Education.

HB 2290, AN ACT concerning school districts; relating to school finance litigation and the funding thereof; amending K.S.A. 2012 Supp. 72-64b01 and repealing the existing section, by Committee on Education.

HB 2291, AN ACT concerning municipalities; relating to elections for bonds; expanding notice and ballot requirements; amending K.S.A. 10-120a and 12-6,122 and repealing the existing sections, by Committee on Education.

HB 2292, AN ACT concerning agriculture; relating to agricultural activities; protection of farmland and agricultural activities from certain nuisance actions; amending K.S.A. 2-3202 and 2-3203 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2293, AN ACT concerning Kansas racing and gaming commission; relating to meeting and compensation of members; amending K.S.A. 74-8803 and repealing the existing section, by Committee on Appropriations.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2059, AN ACT concerning taxation; relating to income tax deductions and modifications; severance tax; sales tax; amending K.S.A. 79-32,109 and K.S.A. 2012 Supp. 79-32,117, 79-32,118, 79-32,266, 79-3620 and 79-4217 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Peterson.

The bill passed, as amended.

HB 2067, AN ACT concerning the board of nursing; relating to the assistant attorneys general; amending K.S.A. 74-1111 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Kinzer.

Present but not voting: None.

Absent or not voting: Peterson.

The bill passed.

REPORT ON ENGROSSED BILLS

HB 2059 reported correctly engrossed February 8, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 12, 2013.

Journal of the House

TWENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 12, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.
Rep. Petty was excused on legislative business.

Prayer by guest chaplain, the Rev. Dr. David Hansen, Pine Valley Christian Church, Wichita, guest of Rep. Bridges:

In this Garden of Democracy,
in this House of the People,
we pray that government of the people,
for the people,
by the people,
will benefit all the people.
For you have shown us, O God,
what is required of us this day.

We pray that the women and men elected to
do the people's business
will seek justice, love mercy, act with kindness,
and be mindful of the needs of the children,
the elderly, the vulnerable, and all our neighbors.

We pray for Wayne Owen, our Sergeant-at-Arms who was
hospitalized last night. We pray for his healing and his recovery.
Amen.

The Pledge of Allegiance was led by Rep. Sutton.

PERSONAL PRIVILEGE

There being no objections, the following remarks of Rep. Finney are spread upon the Journal:

Multiple sclerosis (or MS) is a chronic, unpredictable neurological and often disabling disease that attacks the central nervous system (CNS), which is made up of

the brain, spinal cord, and optic nerves. It disrupts the flow of information between an individual's body and brain.

Symptoms may be mild, such as numbness in the limbs, or severe, such as paralysis or loss of vision. The progress, severity and specific symptoms of MS are unpredictable and vary from one person to another.

MS affects an estimated 2.5 million worldwide, 400,000 in the United States and over 4,400 people living with MS in Kansas. It is often first diagnosed in individuals aged 20-50 and is the most common neurological disease leading to disability in young adults.

The National MS Society's Mid America Chapter mobilizes people and resources to drive research for a cure and to address the challenges of everyone affected by MS. Their MS Activists are here in the Capitol today, many of them wearing the color orange. They will be hosting a lunch and conducting legislator visits to discuss issues of importance to people living with MS in Kansas.

As a member of their Wichita Board of Directors, I am pleased that they are here today and ask each of you to welcome them.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2294, AN ACT concerning the Kansas uniform securities act; amending K.S.A. 17-12a302, 17-12a402 and 17-12a411 and repealing the existing sections, by Committee on Financial Institutions.

HB 2295, AN ACT concerning the department of health and environment; relating to the water pollution control permit system; creating the water program management fund; amending K.S.A. 2012 Supp. 65-166a and repealing the existing section, by Committee on Energy and Environment.

HB 2296, AN ACT concerning campaign finance; relating to uses of campaign funds; amending K.S.A. 2012 Supp. 25-4157a and repealing the existing section, by Committee on Appropriations.

HB 2297, AN ACT concerning school districts; relating to school finance litigation, by Committee on Education Budget.

HB 2298, AN ACT concerning crimes, criminal procedure and punishment; relating to interference with law enforcement; relating to giving a false alarm; amending K.S.A. 2012 Supp. 21-5904 and 21-6207 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-5904a, by Committee on Corrections and Juvenile Justice.

HOUSE CONCURRENT RESOLUTION No. **HCR 5011**— By Committee on Appropriations

A CONCURRENT RESOLUTION to stop Kansas participation in the expansion of medicaid services.

WHEREAS, Article I § 3 of the Kansas Constitution provides: **Executive power of governor.** "The supreme executive power of this state shall be vested in a governor, who shall be responsible for the enforcement of the laws of this state.";

WHEREAS, Article II §§ 1 and 24, respectively, of the Kansas Constitution provides:

Legislative power. "The legislative power of this state shall be vested in a house of representatives and senate.";

Appropriations. "No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.";

WHEREAS, The federal government entices the state of Kansas to participate in the expansion of medicaid services as a provision of the federally mandated patient protection and affordable care act;

WHEREAS, The expansion of medicaid services in Kansas with federal funds as provided for in the patient protection and affordable care act will commit future Kansas Legislatures and the citizens of Kansas to share the cost in future years;

WHEREAS, The federal government commits to funding the expansion of medicaid for a period of three years at 100% and subsequent years at 90% or less but does not guarantee they will not stop this funding without notice while requiring the state to commit to providing full funding should federal funding stop;

WHEREAS, The federal government further obligates the state to fully fund the medicaid expansion should federal funds cease;

WHEREAS, The state's share of future cost of medicaid services cannot accurately be predicted or forecast;

WHEREAS, The policy to expand or not expand medicaid services of Kansas is a legislative function;

WHEREAS, The Kansas legislature has not been afforded the opportunity to consider the financial weight and responsibility of expanded medicaid services and its impact on future budgets and appropriations;

WHEREAS, The state's participation will commit future Legislatures to unknown financial obligations without their consent;

WHEREAS, The state's participation in the expansion of medicaid exceeds the statutory limitations for appropriations as outlined in K.S.A. 46-155, and amendments thereto. Except as provided in K.S.A. 40-3405 and 75-4704b, and amendments thereto, no item of appropriation, or combination of items of appropriation for the same purpose, shall be for a period greater than one ensuing fiscal year in addition to the current fiscal year, except that in the case of capital improvements, an item of appropriation, or combination of items of appropriation, for the purpose of completing construction of a project may be for any period not exceeding the three ensuing fiscal years in addition to the current fiscal year;

WHEREAS, It is the duty of the Kansas legislature to enact new law, levy taxes and appropriate funds for the obligations of the state;

WHEREAS, There are no provisions for future legislatures to opt out of the state's shared cost from the expansion of medicaid;

WHEREAS, Every reasonable consideration of the federal government's current debt obligation would suggest revenue is insufficient to expand its role in financing the expansion of medicaid except with fiat, which devalues the real property and earnings of Kansans, endangers the financial health and welfare of Kansas residents and lays an unacceptable burden on future generations;

WHEREAS, In a press release by the governor on Tuesday, August 9, 2011, regarding his returning of the federal early innovator grant (EIG) the governor stated, "There is much uncertainty surrounding the ability of the federal government to meet its already budgeted future spending obligations. Every state should be preparing for

fewer federal resources, not more." We agree with the governor's assessment; and

WHEREAS, The governor of the State of Kansas must respect the constitutional authority of the legislature to determine the policy and laws of the state and to appropriate funds and levy taxes to satisfy the obligations of the state: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the governor of the state of Kansas may not obligate the state to future cost associated with the expansion of medicaid without the expressed consent of the Kansas legislature.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2290, HB 2293.**

Corrections and Juvenile Justice: **HB 2288.**

Education: **HB 2289.**

Education Budget: **HB 2282.**

Elections: **HB 2291.**

General Government Budget: **HB 2287.**

Health and Human Services: **HB 2283.**

Insurance: **HB 2284.**

Judiciary: **HB 2292.**

Taxation: **HB 2285, HB 2286.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2015, AN ACT concerning domestic relations; relating to marital property; amending K.S.A. 2012 Supp. 23-2601 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Campbell, DeGraaf, Dillmore, Edwards, Garber, Howell, Kahrs, Schwab.

Present but not voting: None.

Absent or not voting: Petty.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: This legislation impedes creditors in their right to collect legal debt and places the burden on creditors to prove that the conveyance of a gift is fraudulent. Public policy has long held this exception to protect creditors from fraudulent conveyances. In addition, it undermines the marriage covenant. Marriage is a special relationship like none other. Typical marriage vows include the words, "for better, for worse, for richer, for poorer." By removing this exception in the law, it creates an undue burden on creditors, undermines the institution of marriage, and weakens the marriage commitment. I vote no on **HB 2015**. -- MARK KAHRS, JIM HOWELL, RANDY GARBER, JOE EDWARDS

HB 2034, AN ACT concerning criminal procedure; relating to the use of tracking devices by law enforcement; relating to search warrants; amending K.S.A. 22-2503 and 22-2506 and K.S.A. 2012 Supp. 22-2502 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Petty.

The bill passed, as amended.

HB 2081, AN ACT concerning civil procedure; relating to the forfeiture of instrumentalities of a crime; amending K.S.A. 2012 Supp. 60-4104 and 60-4105 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Petty.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Henry in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Henry, Committee of the Whole report, as follows, was adopted:
Recommended that **HB 2114**, **HB 2041** be passed.

Committee report to **HB 2065** be adopted; also, on motion of Rep. Rubin be amended on page 1, in line 19, by striking "subsections" and inserting "subsection"; also in line 19, by striking "(1) and"; in line 20, by striking "(a)(2)";

On page 2, in line 41, by striking the semicolon and inserting a period; and **HB 2065** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education Budget** recommends **HB 2109** be passed.

Committee on **Elections** recommends **HB 2130** 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 **Elections** recommends **HB 2095** be amended on page 1, in line 31, by striking the first "four" and inserting "eight"; also in line 31, by striking the second "four" and inserting "eight"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2213** be amended on page 6, in line 1, by striking "interest in"; in line 3, after "shall" by inserting "be eligible to"; also in line 3, after "receive" by inserting ", upon attainment of age 55,"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2228** be amended on page 5, in line 14, after the stricken material, by inserting "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, 2013, and ending on June 30, 2013."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2057** 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 business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2299, AN ACT concerning crimes, criminal procedure and punishment; relating to assault; relating to battery; relating to law enforcement officers; amending K.S.A. 2012 Supp. 21-5111, 21-5412 and 21-5413 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2300, AN ACT concerning counties; authorizing term limits for members of the board of county commissioners; amending K.S.A. 2012 Supp. 19-202 and repealing the existing section, by Committee on Local Government.

HB 2301, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; interest credits and annuity interest rate; amending K.S.A. 2012 Supp. 74-49,306, 74-49,308 and 74-49,313 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2302, AN ACT concerning the Kansas department of health and environment; relating to drug screening, criminal history record check and fingerprinting of certain persons and employees, by Committee on Health and Human Services.

HB 2303, AN ACT concerning driving under the influence; relating to driver's license fees; driving under the influence equipment fund; amending K.S.A. 2012 Supp. 8-240, 8-241, 8-267 and 75-5660 and repealing the existing sections, by Committee on Health and Human Services.

HB 2304, AN ACT concerning the air quality fee fund; relating to the transfer of permit and approval fees; amending K.S.A. 65-3008 and 65-3024 and repealing the existing sections, by Committee on Energy and Environment.

HB 2305, AN ACT concerning the Kansas storage tank act; relating to secondary containment of underground storage tanks; amending K.S.A. 2012 Supp. 65-34,102 and 65-34,103 and repealing the existing sections, by Committee on Energy and Environment.

HB 2306, AN ACT concerning schools; relating to courses for instruction; pertaining to science, by Committee on Education.

HB 2307, AN ACT concerning high school athletes; relating to cheerleading; amending K.S.A. 2012 Supp. 72-136 and repealing the existing section, by Committee on Education.

HB 2308, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; definition of compensation; employment after retirement; amending K.S.A. 2012 Supp. 74-4902, 74-4914 and 74-4937 and repealing the existing sections, by Committee on Education.

HB 2309, AN ACT concerning veterans; relating to driver's licenses and nondriver identification cards; authorizing the director of vehicles to provide information to certain requesting parties; amending K.S.A. 2012 Supp. 8-243, 8-1324 and 74-2012 and repealing the existing sections, by Committee on Veterans, Military and Homeland

Security.

HB 2310, AN ACT concerning the highway advertising control act; amending K.S.A. 2012 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections, by Committee on Transportation.

HB 2311, AN ACT concerning motor vehicles; relating to registration fees, delinquency of payment; amending K.S.A. 8-1,102 and K.S.A. 2012 Supp. 8-135, 8-135c, 8-143 and 8-198 and repealing the existing sections, by Committee on Transportation.

HB 2312, AN ACT concerning the Kansas uninsurable health insurance plan act; pertaining to the lifetime limit; amending K.S.A. 2012 Supp. 40-2124 and repealing the existing section, by Committee on Insurance.

HB 2313, AN ACT concerning governmental ethics; relating to rural water districts; amending K.S.A. 75-4301a and repealing the existing section, by Committee on Elections.

HB 2314, AN ACT concerning ethics; dealing with lobbyists and state officers and employees; amending K.S.A. 46-237 and 46-269 and K.S.A. 2012 Supp. 46-237a and repealing the existing sections, by Committee on Elections.

HB 2315, AN ACT concerning real property; relating to trespass and liability; exceptions, by Committee on Commerce, Labor and Economic Development.

REPORT ON ENGROSSED BILLS

HB 2034, HB 2081 reported correctly engrossed February 11, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 13, 2013.

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 13, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.
Reps. Henderson, Montgomery and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord,
In the world of relativity that we live in,
we often hear that there is no absolute truth.
Today, as I come before you I declare there is an absolute truth,
and that is that You love each one of us unconditionally
and earnestly desire that we seek You and Your will.
So today as we go about our business,
help us to bask in the truth of Your unconditional love for us,
and eagerly desire to seek You and Your will
for the business at hand.
We continue to lift up Sergeant-at-Arms, Wayne Owen to You.
May Your presence fill his hospital room today.
Please give wisdom, knowledge and direction to the
medical personnel. And we ask that it be Your will
to bring healing to his body.
I pray this in the Name of Christ, Amen.

The Pledge of Allegiance was led by Rep. Whipple.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2316, AN ACT concerning the revised Kansas code for care of children; relating to court-appointed special advocates; creating the court-appointed special advocate program fund; amending K.S.A. 2012 Supp. 38-2206 and 38-2215 and repealing the existing sections, by Committee on Judiciary.

HB 2317, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2012 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representative Siegfried.

HB 2318, AN ACT concerning motor vehicles; relating to motorcycles; authorizing modulating head lamps and side lamps; amending K.S.A. 8-1801 and 8-1804 and repealing the existing sections, by Committee on Transportation.

HB 2319, AN ACT creating the coalition of innovative districts act, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2295**.

Agriculture and Natural Resources Budget: **HB 2304**.

Appropriations: **HCR 5011**.

Corrections and Juvenile Justice: **HB 2298, HB 2299, HB 2315**.

Education: **HB 2306**.

Education Budget: **HB 2297**.

Elections: **HB 2296, HB 2313, HB 2314**.

Energy and Environment: **HB 2305**.

Federal and State Affairs: **HB 2307**.

Financial Institutions: **HB 2294**.

Health and Human Services: **HB 2302**.

Insurance: **HB 2312**.

Local Government: **HB 2300**.

Pensions and Benefits: **HB 2301, HB 2308**.

Transportation: **HB 2310, HB 2311**.

Transportation and Public Safety Budget: **HB 2303**.

Veterans, Military and Homeland Security: **HB 2309**.

COMMUNICATIONS FROM STATE OFFICERS

From Richard Petersen-Klein, Executive Director, Kansas Racing and Gaming Commission, 2012 Annual 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. Phillips, **HR 6013**, by Reps. Phillips and Carlin, as follows, was introduced and adopted.

HOUSE RESOLUTION No. **HR 6013**—

A RESOLUTION commemorating the 150th anniversary of Kansas State University in Manhattan, Kansas.

WHEREAS, Kansas State University was established by the Territory of Kansas on February 9, 1858, as the Bluemont Central College Association in response to the state's

desire to provide higher education opportunities to farm families and the working class in Kansas; and

WHEREAS, On February 3, 1863, Kansas became one of the first states in the nation to accept the terms and conditions of the federal Morrill Act creating the land-grant system of colleges and universities; and

WHEREAS, The Kansas State Agricultural College, today known as Kansas State University, received Kansas' land-grant charter on February 16, 1863, making it the first operational land-grant institution in the nation; and

WHEREAS, Important technological advancements of the modern world were the result of research at Kansas State University, including: discovering the weather phenomenon El Niño and invention of the snooze alarm and the space pen; and

WHEREAS, Kansas State University became the first university to offer printing courses, which led to journalism courses and eventually to the A.Q. Miller School of Journalism and Mass Communications; and

WHEREAS, Kansas State University helped pioneer the academic teaching of home economics for women, becoming one of the first of two colleges to offer the program of study; and

WHEREAS, Kansas State University, by expanding to campuses in Olathe, Salina, and Research and Extension has a presence state-wide; and

WHEREAS, The university also has international offices in Australia, Vietnam, China and India; and

WHEREAS, Students attending Kansas State University hail from all 50 states and 90 countries; and

WHEREAS, Kansas State University is a national leader among public universities in the number of Rhodes, Truman, Marshall, Udall and Goldwater scholars; and

WHEREAS, Kansas State University's football team's first game was played on Thanksgiving Day in 1883. The Kansas State University basketball team first played in 1902. Kansas State University intercollegiate athletics compete in the Big XII Conference; and

WHEREAS, More than 200,000 alumni are proud to call Kansas State University their alma mater; graduates include heads of state, leaders of industry, great humanitarians and gifted scientists, whose work has improved the quality of life for people worldwide; and

WHEREAS, Kansas State University's commitment to education is unparalleled; its history and stature are secured by the superlative caliber of its educational professionals and the students they inspire: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend and celebrate the 150th anniversary of Kansas State University at Manhattan. Kansas State University provides students of Kansas with incredible educational opportunities, and we urge all Kansans to celebrate its success; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Representative Phillips.

There being no objection, the following remarks of Reps. Phillips and Carlin are spread upon the journal:

Remarks by Rep. Phillips:

Joining me today are Dr. April Mason, K-State Provost and Dr. Jim Bloodgood, K-State Faculty Senate President

I come before the House this morning to commemorate the 150-year founding of Kansas State University.

In 1855, a small group of men from the New England states settled at the confluence of the Kansas River and Big Blue River, which eventually became the community of Manhattan.

By 1860, the city leaders created Blue Mont Central College, and over the following three years the Manhattan delegation worked to pass legislation recognizing Blue Mont Central College as the state university.

On July 2, 1862, the United States Congress passed the Morrill Act. The Morrill Act awarded public lands to the states for the purpose of creating colleges.

The purpose of the land-grant colleges was:

“without excluding other scientific and classical studies and including military tactic, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life”

Kansas was the first state in the Union to accept the provisions of the federal act in February 3, 1863.

The Kansas Legislature unanimously passed the act creating Kansas State Agricultural College on February 16, 1863 and the act was effective on February 19, 1863. Kansas State Agricultural College, now Kansas State University was the first state-supported institution of higher learning in Kansas. Kansas State University is also the first operational Land Grant University in the country.

The current home of the campus where we know it today was established in 1875. The campus is comprised of 623 acres and 261 buildings. The university also has campuses in Salina and Olathe.

Today, 150 years on Saturday --Kansas State University is a vibrant university, home to thousands of students, hundreds of thousands of alumni, and countless friends and supporters around the world. Kansas State University is a distinguished institution and all of us are extremely proud of this institution after 150 celebrated years.

Remarks by Rep. Carlin:

K-State is celebrating 150 years of educational excellence provided to the state of Kansas. This university, my alma mater, was founded as an agricultural school to provide education to farm families and the working class; but as the world has changed, so has Kansas State. It has grown and adapted to meet the needs of the people of Kansas.

In the alumni news, you will see the recognitions and awards in the realm of education. Our eminent scholars rank very high in the world. K-State was found to be worthy of the National Bio and Agro-Defense Facility. We are also building a new Equine Arena and a Feed Mill for enhancing the equine curriculum. K-State excels in many areas, including Engineering Architecture and Veterinary Medicine, Journalism, Home Economics, Research and Extension. K-State is tops in football, basketball and we have a recent Olympic silver medalist.

One of the things that is so special about KSU is how well it is integrated into the city of Manhattan, Kansas, even before we annexed in 1994. The university is the Heart of our community. That is why Manhattan is so interested in celebrating 150 years with us at KSU.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Boldra, **HR 6014**, by Reps. Boldra, Alcalá, Alford, Ballard, Barker, Becker, Bideau, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted.

HOUSE RESOLUTION No. **HR 6014**—

A RESOLUTION congratulating and commending the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

WHEREAS, The Legislature of the state of Kansas enacted legislation in 2006 authorizing the establishment of the Kansas Academy of Mathematics and Science to promote mathematics and science education, increase retention of intellectual capital and promote economic development; and

WHEREAS, The Legislature of the state of Kansas approved five years of funding for the Kansas Academy of Mathematics and Science in 2008; and

WHEREAS, 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. Fort Hays State University aggressively seeks innovative solutions to meet the educational needs of Kansans and to enhance the economic future of the state; and

WHEREAS, The State Board of Regents selected Fort Hays State University as the site to host the Kansas Academy of Mathematics and Science in 2007; and

WHEREAS, Fort Hays State University was able to establish the Kansas Academy of Mathematics and Science in a single year, allowing Kansas to become the 16th state in the country with an academic early-entry-to-college program offering a unique residential learning experience for high-achieving high school juniors and seniors who are academically talented in science and mathematics; and

WHEREAS, The Kansas Academy of Mathematics and Science provides a unique, hands-on and rigorous research environment with PhD faculty that focuses on academics, research, leadership development and civic engagement allowing Fort Hays State University to cultivate future citizen-leaders; and

WHEREAS, Graduates of the Kansas Academy of Mathematics and Science receive a high school diploma and 68 hours of college credit; and

WHEREAS, The 2014 graduates of the Kansas Academy of Mathematics and Science are: Elliot Bicker, Hiawatha; Michael Cory, Wichita; Alexander Crider, Wichita; Samuel DeVore, Lyons; Abigail Dishman, Topeka; Mason Gates, Manhattan; Rachel Hasch, Concordia; Gabriel Horton, Topeka; Jonathan Howard, Peru; Eleanor Justin, Overland Park; MinYoung Kim, Gwangju Metropolitan, Korea; Abigail Ladner, Lawrence; DongHee Lee, Seoul, South Korea; Brad Leupold, Hiawatha; Elizabeth Lewis, Lawrence; Morgan Linder, Baldwin City; Alexa Melvin, Topeka; Morgan Murray, Shawnee; Nathaniel Nehring, Wamego; Pratik Patel, Salina; Amber Perdeu, Goodland; Quincy Rayls, Topeka; Garrett Redden, Glasco; Laura Rook, Junction City; Christopher Siegle, Council Grove; Briana Singleton, Wichita; Arynne Smallback, Topeka; Tyler Standley, Nickerson; Adam Stenson, Olathe; Tanner Swartz, Alexander; BreAnna Terry, Wichita; Justin Weaver, Benton; Codie Webster, Olsburg; Shelby Young, Chapman; Tianhao Yu, Beijing, China; Junyu Zhang, Anshun Guizhon, China: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the 2014 graduates of the Kansas Academy of Mathematics and Science, that we wish them continued success in their academic and personal pursuits and encourage them to use their significant gifts to improve the future of their home state; and

Be it further resolved: That we express gratitude to the educators and support staff who, through their own dedication and commitment to excellence in education in the fields of mathematics and science, have brought this program to fruition through the successes of each graduating class. Their efforts are helping to forge the future for the state of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide three enrolled copies of this resolution to the director of the Kansas Academy of Mathematics and Science.

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

Joining us today is the Vanguard class of the Kansas Academy of Mathematics and Science at Fort Hays State University. As was stated, the KAMS program is a two year program for high school juniors and seniors. The 36 juniors are here today, the 27 seniors stayed home today.

In their short time in the Academy, these KAMS students have distinguished themselves already with many accomplishments:

- The Dean's Honor Roll the first semester
- Many with a 4.0 GPA
- Students have all prescribed research; some will present this coming week here at the Capitol
- Many participate in FHSU's marching band, chorale groups, drama, the student government association, hall council and civic and service opportunities
- Students are involved in clubs and organizations and hold officer positions

- One student traveled to Alabama for Habitat for Humanity, while yet another is traveling to physician meetings assisting in teaching proper chest intubation. These bright and highly motivated students come to KAMS from across Kansas and beyond representing the best and brightest.

We congratulate each of them on their accomplishments and wish them continued success in their academic and personal pursuits. The talents they develop today can and will improve the world of tomorrow, especially here in the great state of Kansas.

CONSENT CALENDAR

Objection was made to **HB 2057** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

No objection was made to **HB 2130** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2041, AN ACT concerning criminal history record information; definition; relating to municipal court reporting; district court reporting; amending K.S.A. 2012 Supp. 12-4106, 22-4701 and 22-4704 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Kuether, Lane.

Present but not voting: None.

Absent or not voting: Henderson, Montgomery, Peterson.

The bill passed.

HB 2065, AN ACT concerning crimes and punishment; creating the crime of home improvement fraud, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks,

Dillmore, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Perry, Petty, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bruchman, Clayton, Doll, Garber, Grosserode, Howell, McPherson, Meigs, Peck, Phillips, Powell, Rooker, Ryckman Jr., Ryckman Sr., Swanson, Weber.

Present but not voting: None.

Absent or not voting: Henderson, Montgomery, Peterson.

The bill passed, as amended.

HB 2114, AN ACT concerning setoff against debtors of the state; amending K.S.A. 2012 Supp. 75-6210 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 32; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Hutton, Jennings, Johnson, Kahrs, Kelly, Kinzer, Kuether, Lusk, Macheers, Meier, Menghini, Merrick, Moxley, Osterman, Pauls, Perry, Petty, Phillips, Proehl, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Bradford, Carlson, Claeyes, DeGraaf, Dillmore, Dove, Edwards, Garber, Grosserode, Hoffman, Howell, Huebert, Jones, Kelley, Kleeb, Lane, Lunn, Mast, McPherson, Meigs, O'Brien, Peck, Powell, Read, Rhoades, Schwab, Schwartz, Sutton, Thimesch, Todd, Ward.

Present but not voting: None.

Absent or not voting: Henderson, Montgomery, Peterson.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: **HB 2114** increases court revenue by passing on the cost of debt collection to the debtor. This burden has historically been part an administrative cost accepted by collectors. Setting precedent with this change creates significant unjustified revenue to the agency without budget committee oversight and adds to the burden of debtors. This action grows the government and shifts burden to the people. It adds to the penalties and interest already owed by debtors as if it is part of a just penalty. The legislature is supposed to determine penalties and approve budgets. This bill bypasses our oversight and approval. I vote No on **HB 2114**. -- JIM HOWELL

MR. SPEAKER: I've been troubled by **HB 2114** since I first heard about it. As one who has needed and continues to need mercy and grace, I can NOT in good conscience support HB2114. This bill shifts the costs of debt collection from the government to the debtor. The legislature is charged with balancing the power of government to both protect and to punish. We represent the people. This bill grows government and increases its power to "wield the sword." I cannot support **HB 2114**, especially knowing that costs charged are in excess of the true costs associated with collection. I vote NO on **HB 2114**. -- PETE DEGRAAF, JOE EDWARDS, HAROLD LANE

Mr. Speaker: I vote yes on HB 2114. The bill allows more support or restitution to go to a party who is owed that money in a court case following a set off. The person owing the restitution or support is then charged the current fee for collection (now 17%) on top of the money owed. Currently the restitution or child support is reduced by the collection fee. -- Janice L. Pauls, Keith Esau

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Rubin in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rubin, Committee of the Whole report, as follows, was adopted:
Recommended that **HB 2141**, **HB 2096** be passed.
Committee report to **HB 2011** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2154** be amended on page 2, following line 15, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 65-1904b is hereby amended to read as follows: 65-1904b. (a) Upon application to the Kansas state board of cosmetology on a form provided for application for a cosmetologist, esthetician or electrologist license, accompanied by the application fee, a person practicing as a cosmetologist, esthetician or electrologist under the laws of another state or jurisdiction shall be granted a license entitling the person to practice in this state if:

(1) The person is not less than 17 years of age and a graduate of an accredited high school, or equivalent thereof, or the person has held a current license in another state or jurisdiction in the area of practice in which the person seeks a license for not less than 10 years prior to the date of application;

(2) the person submits to the board verification of date of birth; and

(3) the person holds a current license in another state in the area of practice in which the person seeks a license and meets at least one of the following criteria:

(A) The person passes a written and a practical examination administered by the board relating to the area of practice in which the person seeks a license; or

(B) the person has the number of hours of training required for licensure in this state and passes the written examination administered for license renewal under subsection (a) of K.S.A. 65-1904, and amendments thereto.

(b) The renewal of a license issued pursuant to this section shall be in the manner provided in K.S.A. 65-1904, and amendments thereto.";

Also on page 2, in line 16, by striking "is" and inserting "and K.S.A. 2012 Supp. 65-1904b are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "and" by inserting "K.S.A. 2012 Supp. 65-1904b and"; also in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2155** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2012 Supp. 65-1905 is hereby amended to read as follows: 65-1905. (a) All examinations held or conducted by the board shall be in accordance with rules and regulations adopted by the board. The examinations shall include a written test administered at the completion of 1,000 hours of training. If the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the written test shall be administered at the completion of the credit hours which are the equivalent of 1,000 clock hours under the formula for conversion used by the licensed school. A practical test may be administered prior to licensure. Examinations to qualify for an instructor's license shall be limited to written tests.

(b) Each applicant for licensure by examination shall:

(1) Be at least 17 years of age;

(2) be a graduate of an accredited high school, or equivalent thereof. The provisions of this paragraph shall not apply to any applicant who was at least 25 years of age and licensed as an apprentice on May 21, 1998;

(3) submit to the board verification of date of birth; and

(4) have served as an apprentice for the period of time provided by K.S.A. 65-1912, and amendments thereto.

(c) Any person making application who ~~apparently~~ possesses the necessary qualifications to take an examination provided herein, upon application and payment of the nonrefundable temporary permit fee, may be issued a temporary permit by the board to practice cosmetology until the next regular examination conducted by the board.";

Also on page 1, in line 35, by striking "apparently";

On page 2, in line 3, by striking the second comma; in line 5, by striking "annual" and inserting "biennial";

On page 3, in line 16, after "Supp." by inserting "65-1905,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "Supp." by inserting "65-1905,"; and the bill be passed as amended.

Committee on **Utilities and Telecommunications** recommends **HB 2201** be amended on page 4, following line 28, by inserting:

"Sec. 4. K.S.A. 66-1,191 is hereby amended to read as follows: 66-1,191. The commission, upon its own initiative, may investigate all rates, joint rates, tolls, charges and exactions, classifications or schedules of rates or joint rates and rules and regulations of telecommunications public utilities over which the commission has control. If after full hearing and investigation the commission finds that such rates, joint rates, tolls, charges or exactions, classifications or schedules of rates or joint rates or rules and regulations are unjust, unreasonable, unjustly discriminatory or unduly preferential, the commission shall have the power to fix and order substituted therefor

such rates, tolls, charges, exactions, classifications or schedules of rates or joint rates and such rules and regulations as are just and reasonable.

If upon any investigation it is found that any regulation, measurement, practice, act or service complained of is unjust, unreasonable, unreasonably inefficient or insufficient, unduly preferential, unjustly discriminatory, or otherwise in violation of this act or of the orders of the commission, or if it is found that any service is inadequate or that any reasonable service cannot be obtained, the commission may substitute therefor such other regulations, measurements, practices, service or acts, and make such order respecting any such changes in such regulations, measurements, practices, service or acts as are just and reasonable. When, in the judgment of the commission, public necessity and convenience require, the commission may establish just and reasonable concentration or other special rates, charges or privileges, but all such rates, charges and privileges shall be open to all users of a like kind of service under similar circumstances and conditions. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act, unless, in the case of a general investigation, for good cause, the commission orders otherwise.

Sec. 5. K.S.A. 66-1,195 is hereby amended to read as follows: 66-1,195. The commission shall have general supervision of all telecommunications public utilities ~~doing business in this state over which the commission has control~~ and shall inquire into any neglect or violations of the laws of this state by any such telecommunications public utility or by the officers, agents or employees thereof. From time to time, the commission shall carefully examine and inspect the condition of each such telecommunications public utility, its equipment, the manner of its conduct and its management with reference to the public safety and convenience. Nothing in this section shall be construed as relieving any telecommunications public utility from its responsibility or liability for damage to person or property.";

And by redesignating the remaining sections accordingly;

On page 8, in line 38, after "revenue" by inserting ", except such revenue recovered from another support mechanism,";

On page 20, in line 35, by striking the second "and"; in line 37, by striking "unless specifically prohibited"; in line 38, by striking "by state law";

On page 21, in line 8, by striking the second "and"; in line 10, following "thereto" by inserting ";

(E) assess costs and expenses pursuant to K.S.A. 66-1501 et seq., and amendments thereto, but the commission shall not use this authority to regulate telecommunications carriers or electing carriers beyond the jurisdiction provided the commission in this subsection; and

(F) request information from telecommunications carriers and electing carriers pursuant to K.A.R. 82-1-234a(b) and subject to the provisions of K.A.R. 82-1-221a and K.S.A. 66-1220a, and amendments thereto, but the commission shall not use this authority to regulate telecommunications carriers or electing carriers beyond the jurisdiction provided the commission in this subsection";

On page 24, in line 14, by striking "(q)(B)" and inserting "(q)(1)(B)"; in line 15, by striking the first comma and inserting "or"; also in line 15, by striking "or (E)";

On page 25, in line 23, by striking "qualified telecommunications carrier, telecommunications"; in line 24, by striking "public utility or wireless telecommunications service provider" and inserting "local exchange carrier"; in line 28,

by striking "qualified telecommunications"; by striking all in line 29; in line 30, by striking "service provider" and inserting "local exchange carrier"; in line 32, by striking "qualifying utility, provider or"; in line 33, by striking "a qualified"; in line 34, by striking "utility,"; also in line 34, by striking "or provider";

On page 26, in line 9, by striking "The"; in line 10, by striking "commission shall continue,"; also in line 10, by striking "to determine"; by striking all in lines 11 through 13; in line 14, by striking "procedures in effect on January 1, 2013."; in line 16, after "subsection." by inserting "Nothing in this subsection shall prohibit the commission from conducting a general investigation regarding effects of federal universal service reform on KUSF support and the telecommunications public policy of the state of Kansas as expressed in K.S.A. 66-2001, and amendments thereto. The commission may present any findings and recommendations to the telecommunications study committee established in section 1, and amendments thereto.";

On page 29, in line 22, after "66-1,188," by inserting "66-1,191, 66-1,195,";

On page 1, in the title, in line 4, after "66-1,188," by inserting "66-1,191, 66-1,195,"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2167** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2001** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2001," as follows:

"Substitute for HOUSE BILL NO. 2001

By Committee on Veterans, Military and Homeland Security

"AN ACT concerning military service members; repealing K.S.A. 74-32,145, 74-32,147, 74-32,148, 74-32,149 and 74-32,150 and K.S.A. 2012 Supp. 74-32,146."; and the substitute bill be passed.

(**Sub HB 2001** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **HB 2077** be amended on page 1, in line 8, by striking "under conditions other than"; in line 9, by striking "dishonorable" and inserting "with an honorable discharge"; in line 15, after "(b)" by inserting "(1)"; in line 16, by striking "satisfactory evidence" and inserting "a completed application"; in line 18, by striking "the qualifications to receive the"; by striking all in lines 19 and 20; in line 21, by striking "standards required for certification or licensure in this state" and inserting "any educational requirements for certification or licensure in this state if the applicant demonstrates to the satisfaction of the licensing body that such education, training or service obtained is substantially equivalent to the existing educational requirements of such licensure or certification. No education, training or service shall count towards any examination requirements unless such licensing body has provided a waiver for such requirement. The licensing body may require the applicant to provide documentation of such education, training or service as deemed necessary by the licensing body to determine substantial equivalency";

Also on page 1, following line 21, by inserting:

"(2) A licensing board under this section may accept education, training or service completed in military service towards any educational requirements for certification or licensure in this state if a person was separated from military service under honorable conditions (general) discharge.";

Also on page 1, in line 34, by striking "under conditions"; in line 35, by striking

"other than dishonorable" and inserting "with an honorable discharge";

On page 2, in line 5, after "Upon" by inserting "submission of a completed"; in line 8, by striking "filing of an" and inserting "submission of a completed"; in line 14, after "endorsement" by inserting ", reinstatement"; in line 17, after "endorsement" by inserting ", reinstatement";

On page 3, in line 1, after "false." by inserting "Any probationary license issued under this section to a military service member or nonresident military spouse shall not exceed three months."; in line 25, by striking "established" and inserting "issued"; following line 31, by inserting:

"(g) A licensing board may grant certification, licensure or a temporary permit to any person who meets the requirements under this section but was separated from such military service under honorable conditions (general) discharge.

(h) Each licensing body may adopt rules and regulations necessary to implement and carry out the provisions of this section.";

Also on page 3, in line 32, by striking "(g)" and inserting "(i)"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2078** be amended on page 2, in line 3, by striking "under"; in line 4, by striking "honorable conditions" and inserting "with an honorable discharge. If such applicant was separated from such military service under honorable conditions (general) discharge and meets the requirements of this paragraph, the board may authorize the educational requirements under subsection (a)(1) be waived";

On page 3, in line 13, after "(a)" by inserting "(1)"; in line 16, by striking "(1)"; also in line 16, after "(A)" by inserting "(i)"; in line 18, by striking "(B)" and inserting "(ii)"; in line 21, by striking "(C)" and inserting "(iii)"; in line 28, by striking "under honorable conditions" and inserting "with an honorable discharge"; in line 29, by striking "(2) (A)" and inserting "(B) (i)"; in line 31, by striking "(B)" and inserting "(ii)"; in line 33, by striking "(3)" and inserting "(C)"; following line 34, by inserting:

“(2) The board may grant an attendant's certificate to any applicant who meets the requirements under subsection (a)(1)(A)(iii) but was separated from such military service under honorable conditions (general) discharge if such applicant satisfies the requirements under subsections (a)(1)(A)(ii) and (a)(1)(A)(iii).”; 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 and concurrent resolution were thereupon introduced and read by title:

HB 2320, AN ACT concerning public charter schools; creating the Kansas public charter school act; amending K.S.A. 2012 Supp. 72-6407, 79-32,117 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 72-1903, 72-1904, 72-1908, 72-1909 and 72-1911 and K.S.A. 2012 Supp. 72-1906, 72-1907 and 72-1910, by Committee on Taxation.

HB 2321, AN ACT concerning health and environment; relating to graywater; amending K.S.A. 65-165 and K.S.A. 2012 Supp. 65-171d and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2322, AN ACT concerning the department of health and environment; relating to the division of health; amending K.S.A. 65-102, 65-118, 65-153 and 75-5621 and K.S.A. 2012 Supp. 65-2402, 65-2422d, 75-5601, 75-5603 and 75-5664 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-7411 and 75-7412, by Committee on Health and Human Services.

HB 2323, AN ACT concerning labor and employment; relating to the minimum wage; indexing to the consumer price index; amending K.S.A. 2012 Supp. 44-1203 and repealing the existing section, by Representative Winn.

HB 2324, AN ACT prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat; amending K.S.A. 2012 Supp. 65-445 and 65-2836 and repealing the existing sections, by Representatives DeGraaf, Alcalá, Bideau, Bradford, Brunk, Campbell, Carpenter, Christmann, Crum, Dove, Edwards, Garber, Goico, Gonzalez, Hedke, Hermanson, Hibbard, Houser, Howell, Huebert, Hutton, Kelley, Montgomery, O'Brien, Pauls, Peck, Read, Rhoades, Rothlisberg, Seiwert, Sutton and Thimesch.

HB 2325, AN ACT concerning state employees; relating to abolishing longevity bonus payments; amending K.S.A. 2012 Supp. 75-5551 and repealing the existing section; also repealing K.S.A. 2012 Supp. 75-5541, by Committee on Appropriations.

HB 2326, AN ACT concerning certain internet protocol enabled services, by Committee on Commerce, Labor and Economic Development.

HB 2327, AN ACT concerning sales taxation; enacting the food sales tax refund, by Representatives Sawyer, Ballard, Carlin, Davis, Finney, Grant, Henderson, Houston, Kuether, Menghini, Pauls, Trimmer, Weigel, Whipple, Wilson and Winn.

HB 2328, AN ACT concerning taxation; providing homestead property tax refunds for renters; amending K.S.A. 2012 Supp. 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Representatives Sawyer, Ballard, Carlin, Davis, Finney, Grant, Henderson, Houston, Kuether, Menghini, Pauls, Trimmer, Victors, Weigel, Whipple, Wilson and Winn.

HB 2329, AN ACT concerning income taxation; relating to the earned income tax credit; amending K.S.A. 2012 Supp. 79-32,205 and repealing the existing section, by Representatives Menghini, Ballard, Carlin, Davis, Finney, Frownfelter, Grant, Henderson, Houston, Kuether, Lusk, Sawyer, Trimmer, Victors, Weigel, Whipple, Wilson and Winn.

HB 2330, AN ACT concerning domestic relations; relating to marriage licenses; amending K.S.A. 2012 Supp. 23-2510 and repealing the existing section, by Representatives Jones, Barker, Brunk, Couture-Lovelady, Dove, Edwards, Huebert, Kinzer, Macheers, Mast, Meigs, Osterman, Powell, Rhoades, Ryckman Jr., Ryckman Sr. and Siegfried.

HB 2331, AN ACT concerning income taxation; relating to credits; adoption expenses, by Representatives Davis, Alcalá, Bridges, Burroughs, Carlin, Finney, Henry, Kuether, Meier, Menghini, Ruiz, Sawyer, Sloop, Trimmer, Weigel, Whipple, Wilson, Winn and Wolfe Moore.

HB 2332, AN ACT concerning the state corporation commission; relating to the promulgation of rules and regulations concerning horizontal drilling and hydraulic

fracturing; amending K.S.A. 2012 Supp. 55-152 and repealing the existing section, by Committee on Energy and Environment.

HB 2333, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; distribution to political subdivisions; amending K.S.A. 79-2961 and K.S.A. 2012 Supp. 79-2959 and repealing the existing sections, by Representatives Davis, Alcalá, Bridges, Burroughs, Carlin, Finney, Henry, Houston, Kuether, Lane, Meier, Menghini, Ruiz, Sawyer, Sloop, Trimmer, Victors, Weigel, Whipple, Wilson, Winn and Wolfe Moore.

HB 2334, AN ACT concerning public works projects for state agencies; relating to payment of minimum wages; preferences for certain employees, by Representatives Davis, Burroughs, Grant, Houston, Sawyer and Whipple.

HB 2335, AN ACT establishing a program of drug screening for cash assistance recipients; amending K.S.A. 2012 Supp. 39-709 and repealing the existing section, by Representatives Kelley, Boldra, Cassidy, Claeys, DeGraaf, Ewy, Garber, Kahrs, Macheers, Rothlisberg, Ryckman Sr., Seiwert, Sutton, Thimesch and Waymaster.

HB 2336, AN ACT concerning public officers and employees; relating to the open meetings act; amending K.S.A. 2012 Supp. 75-4317a and repealing the existing section, by Committee on Judiciary.

HB 2337, AN ACT concerning debt setoff; dealing with debt setoff for child support and for debts owed under the state debt setoff program; amending K.S.A. 2012 Supp. 75-6204 and repealing the existing section, by Committee on Appropriations.

HB 2338, AN ACT concerning docket fees; amending K.S.A. 5-517 and K.S.A. 2012 Supp. 20-362, 28-172a, 74-7325, 74-7334 and 75-7021 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 20-367, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5012**—

By Representative Davis

A PROPOSITION to revise article 10 of the constitution of the state of Kansas; relating to reapportionment of congressional districts, legislative districts and state board of education member districts

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: Article 10 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 10.—~~APPORTIONMENT OF THE LEGISLATURE CONGRESSIONAL, LEGISLATIVE AND STATE BOARD OF EDUCATION MEMBER DISTRICTS~~

"§ 1. **Reapportionment of senatorial and representative districts required.** ~~(a) At its regular session in 1989, the legislature shall by law reapportion the state representative districts, the state senatorial districts or both the state representative and senatorial districts upon the basis of the latest census of the inhabitants of the state taken by authority of chapter 61 of the 1987 Session Laws of Kansas. At its regular session in 1992 2022, and at its regular session every tenth 10th year thereafter, the~~

legislature shall by law reapportion the *United States congressional districts, the state senatorial districts*~~—and, the state representative districts and the state board of education member districts as provided by this article.~~ *Reapportionment of such districts shall be on the basis of the population of the state as established by the most recent census of population taken and published by the United States bureau of the census. Senatorial—*~~and, representative and state board of education member districts shall be reapportioned upon the basis of the population of the state adjusted:~~~~(1) (a) To exclude nonresident military personnel stationed within the state and nonresident students attending colleges and universities within the state; and—(2) (b) to include military personnel stationed within the state who are residents of the state and students attending colleges and universities within the state who are residents of the state in the district of their permanent residence. Bills reapportioning legislative districts shall be published in the Kansas register immediately upon final passage and shall be effective for the next following election of legislators and thereafter until again reapportioned.~~

~~(b) Within 15 days after the publication of an act reapportioning the legislative districts within the time specified in (a), the attorney general shall petition the supreme court of the state to determine the validity thereof. The supreme court, within 30 days from the filing of the petition, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall enact a statute of reapportionment conforming to the judgment of the supreme court within 15 days.~~

~~(c) Upon enactment of a reapportionment to conform with a judgment under (b), the attorney general shall apply to the supreme court of the state to determine the validity thereof. The supreme court, within 10 days from the filing of such application, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall again enact a statute reapportioning the legislative districts in compliance with the direction of and conforming to the mandate of the supreme court within 15 days after entry thereof.~~

~~(d) Whenever a petition or application is filed under this section, the supreme court, in accordance with its rules, shall permit interested persons to present their views.~~

~~(e) A judgment of the supreme court of the state determining a reapportionment to be valid shall be final until the legislative districts are again reapportioned in accordance herewith.~~

"§ 4. Establishment of redistricting commission. (a) Not later than February 15 of each year ending in one, a redistricting commission shall be established to recommend to the legislature redistricting plans for United States congressional districts, state representative districts, state senatorial districts and state board of education member districts.

(b) The redistricting commission shall consist of the following members:

- (1) One shall be appointed by the majority leader of the senate;*
- (2) one shall be appointed by the majority leader of the house of representatives;*
- (3) one shall be appointed by the minority leader of the senate;*
- (4) one shall be appointed by the minority leader of the house*

of representatives; and

(5) within 30 days after the appointments described in paragraphs (1) through (4) have been made, but not later than March 15 of the year in which the commission is established, the four commission members so appointed shall select, by a vote of at least three members, the fifth commission member, who shall serve as chairperson.

(c) Any vacancy in the membership of the redistricting commission shall be filled in the same manner as the original appointment or selection.

(d) No person, while a member of the commission, shall:

(1) Hold any federal, state or local office; or

(2) be an employee of the Kansas legislature, state board of education or United States congress.

(e) No person who has been a member of the redistricting commission shall be eligible, within two years after being a member of the commission, to:

(1) Be a member or employee of the Kansas legislature or state board of education; or

(2) hold any appointive office.

(f) The legislature shall provide by law for payment of compensation and expenses of members of the redistricting commission and for adequate staff, office space, equipment and materials for the commission.

(g) The terms of members of the redistricting commission shall expire on July 1 of each year ending in two, and the commission shall be inactive until reestablishment of the commission pursuant to this section.

"§ 5. Commission procedure and recommendations. (a) The redistricting commission shall establish rules and procedures as necessary to carry out the commission's functions. Such rules and procedures shall include rules requiring formal submission to the commission of all communications with commission members. Ex parte communications with members of the commission in relation to the merits of matters before the commission shall be prohibited. Members of the commission shall report any violations of this prohibition to the attorney general and the legislature shall provide by law criminal penalties for such violations.

(b) The redistricting commission shall conduct public hearings throughout the state, including at least one public hearing in each state board of education member district.

(c) In recommending redistricting plans, the redistricting commission shall consider only the requirements of the constitution of the state of Kansas and federal laws, preservation of political subdivisions and preservation of communities of interest. The commission shall avoid placing more than one incumbent in a district except when necessary due to changes in the population of the state. Except as expressly provided in this subsection, the commission shall not intentionally develop districts that favor or discriminate against any individual, political party or group.

"§ 6. Legislative action; court review and action. (a) On or before the first day of the regular legislative session in each year ending in two, the redistricting commission shall introduce in the house of representatives a bill reapportioning the state representative districts and a bill reapportioning the United States congressional districts, and shall introduce in the senate a bill reapportioning the state senatorial districts and a bill reapportioning the state board of education member districts. Such bills shall not be subject to amendment by either chamber of the legislature and each such bill shall be acted upon by each chamber within seven days after such bill is introduced in such chamber.

(b) If a bill introduced pursuant to subsection (a) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill

reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (a) is invalid, the redistricting commission, within 10 days after entry of such judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). Such bill shall not be subject to amendment by either chamber and shall be acted upon by each chamber within seven days after the bill is introduced in such chamber.

(c) If a bill introduced pursuant to subsection (b) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (b) is invalid, the redistricting commission, within 10 days after entry of such judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). Such bill shall be subject to amendment by either chamber and shall be acted upon by each chamber within 14 days after the bill is introduced in such chamber. When a bill is introduced pursuant to this subsection, the commission shall make the commission's staff and technical resources available to the legislature for use in preparation and consideration of amendments to such bill.

(d) If either chamber of the legislature rejects a bill introduced pursuant to this section, or the governor vetoes such bill, the chamber that rejects the bill, or the governor in the case of a veto, shall transmit to the commission a letter stating the reasons why the bill was not enacted, and the commission shall take such reasons into consideration in introducing a bill pursuant to this section, subject to the requirements of subsection (c) of section 6. Any such letter shall be signed by both the speaker of the house of representatives and the minority leader of the house of representatives or both the president of the senate and the minority leader of the senate.

(e) Reapportionment bills shall be published in the Kansas register immediately upon final passage and approval by the governor. The districts enacted shall be effective for the next following regular election and thereafter until again such districts are reapportioned, except that the senatorial districts shall be effective for the next following regular election at which all senators are elected.

(f) Within 15 days after publication of any reapportionment bills enacted pursuant to this article, the attorney general shall petition the Kansas supreme court to determine the validity of such bill. The Kansas supreme court, in accordance with its rules, shall permit interested persons to present their views. Within 30 days after the filing of such petition, the Kansas supreme court shall enter its judgment. A judgment of the Kansas supreme court determining such bill to be valid shall be final until reapportionment of the districts is again required by this article.

"§ 7. Implementing legislation. The legislature may enact legislation, not in conflict with the provisions of this article, as reasonably necessary to implement such provisions."

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

"Explanatory statement. Current article 10 of the constitution of the state of Kansas governs reapportionment of state legislative districts. It provides for reapportionment by

the legislature and requires it be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities. The revision of article 10 would govern reapportionment of the United States congressional districts, state legislative districts and the state board of education member districts. Under the revision a redistricting commission would be established to recommend redistricting plans to the legislature. The legislature would enact a plan which would be subject to review by the Kansas supreme court. There would be strict deadlines for legislative action and if no plan is adopted by the deadline, the Kansas supreme court would reapportion the districts. Reapportionment of state legislative districts would be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities.

"A vote for this proposition would change the procedure for reapportionment of United States congressional, state legislative and state board of education member districts.

"A vote against this proposition would continue the current procedures and basis for reapportionment."

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 on 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 of the state at the general election in November in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REPORT ON ENGROSSED BILLS

HB 2065 reported correctly engrossed February 12, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 14, 2013.

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 14, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.

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

Rep. Edwards was excused later in the day on verified illness.

Prayer by Rep. Dove:

Rep. Dove sang *The Lord's Prayer* for the members of the House.

The Pledge of Allegiance was led by Rep. Doll.

PERSONAL PRIVILEGE

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

Tuesday I had the honor to fly home to my district for the morning of Pancake Day in Liberal. What is Pancake Day some of you may ask?

Well, it is a friendly little competition between Liberal, Kansas, and Olney, England, with women running down the streets of each town flipping pancakes, has been going on for more than 60 years now. It is still the only race of its kind on the planet.

On Shrove Tuesday every year, at 11:55 a.m., the race takes place. It all started in 1950 from a magazine picture of the Olney women racing each other to the church. Liberal Jaycee President R.J. Leete contacted the Rev. Ronald Collins, Vicar of St. Peter and St. Paul's church in Olney, challenging their women to race against women of Liberal.

In Olney, the Pancake Race tradition dates back more than 500 years to 1445. A woman engrossed in using up cooking fats (forbidden during Lent) was making pancakes. Hearing the church bells ring calling everyone to the shoving service, she grabbed her head scarf (required in church) and ran to the church, skillet and pancake in hand and still apron-clad. In following years, neighbors got into the act and it became a race to see who could reach the church first and collect a "Kiss of Peace" from the vergar (bell-ringer.) The kiss is still the traditional prize in both races.

International Pancake Day has expanded to a four day event that includes eating/flipping/cooking contests, the Miss Liberal pageant, a talent show, community wide breakfast, childrens races, and the main international race followed by a shoving

service, the international phone call to compare times and a parade.

This year's international race winner from Liberal was 27 year old Caitlin Demarest who ran the race in just over 64 seconds.

PERSONAL PRIVILEGE

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

The Governor signed a Proclamation that today, February 14, 2013, 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 from our Kansas Community Colleges. 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 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.

Here are the community college scholars and where they are from:

2013 Kansas Community College PTK Representatives

1. Joshua Welch – Garden City Community College
2. Caitlin Shepard – Coffeyville Community College
3. Katelyn Lockhart – Independence Community College
4. Kylee Pywell – Pratt Community College
5. Jeffrey Heppler – Neosho County Community College-Ottawa
6. Heather Duncan – Fort Scott Community College-Miami County
7. Tyler Davis – Labette Community College
8. Danielle Shearin – Neosho County Community College
9. Dylan Sack – Kansas City Kansas Community College
10. Lara Blomberg – Johnson County Community College

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2339, AN ACT concerning insurance; relating to adverse underwriting decisions; allowing return of premiums separate from notice; amending K.S.A. 40-2,112 and repealing the existing section, by Committee on Insurance.

HB 2340, AN ACT concerning the Kansas employment first initiative act; amending K.S.A. 2012 Supp. 44-1137 and repealing the existing section; also repealing K.S.A. 2012 Supp. 44-1138, by Committee on Commerce, Labor and Economic Development.

HB 2341, AN ACT concerning court reporters; amending K.S.A. 2012 Supp. 60-228 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2321**.

Appropriations: **HB 2325, HB 2330, HB 2334, HB 2337, HB 2338**.

Commerce, Labor and Economic Development: **HB 2323, HB 2326**.

Education: **HB 2319, HB 2320**.

Energy and Environment: **HB 2332**.

Federal and State Affairs: **HB 2324**.

Health and Human Services: **HB 2322**.

Insurance: **HB 2317**.

Judiciary: **HB 2316, HB 2336; HCR 5012**.

Social Services Budget: **HB 2335**.

Taxation: **HB 2327, HB 2328, HB 2329, HB 2331, HB 2333**.

Transportation: **HB 2318**.

COMMUNICATIONS FROM STATE OFFICERS

From Ernest E. Garcia, Colonel, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, annual report regarding the State Forfeiture Fund, December 1, 2011 through November 30, 2012.

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

MESSAGE FROM THE SENATE

Announcing passage of **SB 24, SB 25; Sub SB 36; SB 37, SB 41, SB 49, SB 51, SB 52, SB 59, SB 68, SB 69, SB 80, SB 91, SB 92, SB 102**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 24, SB 25; Sub SB 36; SB 37, SB 41, SB 49, SB 51, SB 52, SB 59, SB 68, SB 69, SB 80, SB 91, SB 92, SB 102.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6015**—
By Committee on Transportation

A RESOLUTION encouraging the Department of Administration, Kansas Department of Transportation and the Kansas Turnpike Authority to collaborate and study the viability and benefits of compressed natural gas as an add-on or alternative vehicle fuel.

WHEREAS, Compressed natural gas is an environmentally friendly, "green" alternative to current fueling options of gasoline and diesel. Compressed natural gas reduces a vehicle's carbon footprint and reduces American dependency on foreign oil; and

WHEREAS, The cost of compressed natural gas is about one-third less than gasoline and 40% less than diesel. It is estimated that there are about 123,000 natural gas fueled vehicles currently being driven. There are about 1,250 fueling systems for compressed natural gas with approximately 585 being accessible to the public; and

WHEREAS, Increased usage of compressed natural gas could result in job creation, increased revenues, fuel cost savings and extended vehicle life cycle. The benefits to Kansas of encouraging the use of compressed natural gas as an alternative fuel include, but are not limited to, reduced green house gases, support to Kansas producers of natural gas and the quality jobs these producers provide, and energy cost savings: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge the Department of Administration, Kansas Department of Transportation and Kansas Turnpike Authority to collaborate and study the viability and benefits of compressed natural gas as an add-on or alternative fuel and to report the findings of such study to the House Committee on Transportation; 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 Administration, the Secretary of Transportation and the President of the Kansas Turnpike Authority.

CONSENT CALENDAR

No objection was made to **HB 2130** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2011, AN ACT concerning distinctive license plates; making educational institution plates available to motorcycles; transferability of certain plates; amending K.S.A. 8-177a and K.S.A. 2012 Supp. 8-1,142 and repealing the existing sections, 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: Alcalá, Alford, Ballard, Barker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Campbell, Carlin, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk,

Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Perry, Peterson, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Becker, Carlson, Carpenter, DeGraaf, Esau, Hawkins, Hedke, Hineman, Houser, Howell, Kahrs, Kinzer, Peck, Powell.

Present but not voting: None.

Absent or not voting: Christmann, Edwards.

The bill passed, as amended.

HB 2096, AN ACT concerning local governing bodies; relating to investment of public moneys, conditions and limitations; amending K.S.A. 2012 Supp. 12-1675 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Christmann, Edwards.

The bill passed.

HB 2141, AN ACT concerning school districts; relating to the former election process of certain unified school districts; amending K.S.A. 72-8202 and repealing the existing section; also repealing K.S.A. 72-6764, 72-6765, 72-6793 and 72-6794, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson,

Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Christmann, Edwards.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Grosserode in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Grosserode, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2213** be adopted; and the bill be passed as amended.

Committee report to **HB 2228** be adopted; and the bill be passed as amended.

Committee report to **HB 2066** be adopted; and the bill be passed as amended.

Committee report to **HB 2030** be adopted; also, on motion of Rep. Hoffman be amended on page 1, in line 13, by striking "40%" and inserting "30%"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2202** be amended on page 1, in line 4, after "governor" by inserting "or the United States department of agriculture"; in line 24, by striking the comma and inserting "or"; also in line 24, by striking "or rain"; in line 28, by striking "the governor's" and inserting "a"; also in line 28, after "drought" by inserting "by the governor or the United States department of agriculture"; in line 29, by striking "pursuant to the provisions"; in line 30, by striking "of K.S.A. 48-924, and amendments thereto"; in line 36, by striking the second comma and inserting "or a"; also in line 36, by striking "or an";

On page 2, in line 1, by striking "interstate license as an interstate exempt carrier"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2125** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2084** be amended on page 1, in line 12, before "any" by inserting "any individual subject to the state income tax imposed by the provisions of the Kansas income tax act,"; in line 34, by striking "housing" and inserting "construction projects"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2122** be amended on page 12, in line 23, by striking all after "shall"; by striking all in lines 24 through 37 and inserting ":

- (1) Engage in fraud or make any substantial misrepresentation to the commission;
- (2) commit forgery in any representation or document submitted to the commission;
- (3) sign or initial on behalf of another person any application, form or accompanying document submitted to the commission unless authorized to do so by a duly executed power of attorney;
- (4) interfere with any investigation, administrative proceeding, quasi-judicial proceeding or any other disciplinary matter of the commission including, but not limited to:
 - (A) Threatening to engage in or engaging in physical abuse or harassment toward any witness, complainant or individual listed in subsection (e)(1);
 - (B) destroying evidence;
 - (C) refusing or failing to appear or testify under oath at any hearing; or
 - (D) refusing or failing to respond in a timely manner to any request from the commission or the commission's designee for documents or information that concerns directly or indirectly any real estate transaction or the licensee's real estate business;
 - (5) fail without just cause to surrender any document or instrument to the rightful owner; or
 - (6) demonstrate incompetency to act as a broker, associate broker or salesperson in dealings with the commissions, including the repeated failure to:
 - (A) Submit required forms to the commission in a timely and complete manner;
 - (B) make available to the commission all records relating to the real estate business; or
 - (C) comply with the provisions of this subsection."; and the bill be passed as amended.

Committee on **Education** recommends **HB 2221** be passed.

Committee on **Education Budget** recommends **HB 2140, HB 2142, HB 2148, HB 2149, HB 2151, HB 2156** 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 **Elections** recommends **HB 2112** be amended on page 6, in line 5, after "candidate" by inserting "for state office after all debts, liabilities and expenses are satisfied"; in line 25, after "candidate" by inserting "for state office"; in line 31, after "candidacy" by inserting "after all debts, liabilities and expenses are satisfied"; in line 34, by striking "public" and inserting "state"; in line 38, by striking "public" and inserting "state"; also in line 38, by striking all after "office"; by striking all in line 39; in line 40, by striking all before the period and inserting "after all debts, liabilities and expenses are satisfied"; by striking all in lines 41 through 43;

On page 7, by striking all in lines 1 through 8;

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2106** 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 2135** 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 2342, AN ACT concerning campaign finance; amending K.S.A. 25-4153b and repealing the existing section, by Committee on Judiciary.

HB 2343, AN ACT concerning public health; relating to the secretary of health and environment; office of laboratory services; amending K.S.A. 65-157, 65-1,109a and 75-5608 and repealing the existing sections; also repealing K.S.A. 75-5607, by Committee on Health and Human Services.

HB 2344, AN ACT concerning agriculture; relating to agricultural production firms; high performance incentive program qualification for certain firms; amending K.S.A. 2012 Supp. 74-50,131 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2345, AN ACT concerning driving; relating to certain fines and application fees; distribution to correctional supervision fund and community corrections supervision fund; amending K.S.A. 2012 Supp. 8-2,144, 8-1015, 8-1025, 8-1567 and 12-4120 and repealing the existing sections, by Committee on Judiciary.

HB 2346, AN ACT concerning the attorney general; creating the open government unit; relating to the open records act and open meetings act; amending K.S.A. 75-4320a and K.S.A. 2012 Supp. 45-222 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2347, AN ACT concerning mortgage registration fees; amending K.S.A. 79-3102 and repealing the existing section, by Committee on Taxation.

HB 2348, AN ACT concerning the adult care home licensure act; relating to adult care home requirements, admissions and penalties; licensed and unlicensed employees; amending K.S.A. 39-953b and K.S.A. 2012 Supp. 39-936, 39-946 and 39-953a and repealing the existing sections, by Committee on Children and Seniors.

HB 2349, AN ACT concerning legislative post audit committee; auditing unified school districts, by Committee on Education.

HB 2350, AN ACT concerning schools; removing the authority to receive certain federal aid made available for educational purposes; amending K.S.A. 72-6201 and K.S.A. 2012 Supp. 79-3620 and 79-3710 and repealing the existing sections; also repealing K.S.A. 72-6202 and K.S.A. 2012 Supp. 72-6203, by Committee on Education.

HB 2351, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2014 and June 30, 2015, for the Kansas department for aging and disability services; relating to home and community based services I/DD waiver, by Committee on Appropriations.

HB 2352, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; maximum retirement benefits; employee contributions; amending K.S.A. 74-4958, 74-4958a and 74-4965 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2353, AN ACT concerning controlled substances; amending K.S.A. 2012 Supp.

65-4105 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2354, AN ACT concerning the ethics commission; relating to fees, fines and civil penalties; amending K.S.A. 2012 Supp. 25-4119f, 25-4145, 25-4152, 25-4180, 25-4181, 25-4186, 46-265, 46-280 and 46-288 and repealing the existing sections, by Committee on Appropriations.

HB 2355, AN ACT concerning taxation; enacting the Kansas fair tax of 2013; eliminating sales taxes and phasing out income 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; providing for state compensating consumption tax and local retailers' consumption tax and compensating consumption tax; amending K.S.A. 2012 Supp. 79-32,110 and 79-3702 and repealing the existing sections, by Committee on Taxation.

REPORT ON ENGROSSED BILLS

HB 2011 reported correctly engrossed February 13, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6011 reported correctly enrolled and properly signed on February 14, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, February 15, 2013.

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 15, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 115 members present.

Reps. Doll and Edwards were excused on verified illness.

Reps. Johnson and Pauls were excused on legislative business.

Reps. Carpenter, Cassidy, Christmann, Hermanson, Montgomery and Peterson were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Branson Roberts, pastor, First Church of the Nazarene, Topeka:

Almighty God,

You are the Creator God, and everything exists for your glory. By your word you have shown us what you require of us: to act justly, to love mercy, and to walk humbly before you.

Lord, we are so grateful for the privilege to live in this land, at such a time as this.

Thank you for choosing and shaping ordinary people to rise up and lead this great state.

And now to this body of people, who are charged with serving the citizens of the state of Kansas; whom you have chosen and shaped for such a time as this.

O God, grant that all the public work which has been given to this body to do, will only motivate them to serve their fellow man.

Help them to set loyalty to the right things above all loyalty to party or to class.

Grant that the importance of their work may never make them full of their own self-importance, but rather that it may make them humbly eager to serve and to help the people of Kansas.

Give them wisdom of mind, clearness in their thinking, truth in their speaking, and always love in their hearts, so that they may try always to unite people and never to divide them.

Help them always to set the interests of the state above those

of the party; and faithfulness to your requirements to justice and mercy above everything else.

So grant that at the end of this day, they may win the approval of their own conscience, the respect of their fellow man, and Your “Well Done!”

I humbly offer this prayer for the sake of Jesus, who was also chosen by you to serve among his fellow man, and model the walk of justice and mercy.

AMEN.

The Pledge of Allegiance was led by Rep. Corbet.

PERSONAL PRIVILEGE

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

Mrs. Laura Moyers, Music teacher at Anthony Elementary in the Leavenworth School District, was selected as the Kansas State Department of Education’s Region 2 2013 Elementary Teacher of the Year this fall. This is Mrs. Moyer’s 23rd year in public education and third year in the Leavenworth School District. She is passionate about her role as an educator and has helped to secure more than \$16,000 for the Anthony Elementary music program through winning grant applications and contests.

Outside the classroom, Mrs. Moyers is a talented singer and songwriter and recorded a CD “Soldier’s Tribute” in honor of our military service members. She is heavily involved with her church and often contributes her musical talents to various community and charitable causes.

In her application for consideration for the Teacher of the Year recognition Program, she had this to say about her chosen profession: An outstanding teacher models what she expects from her students. She truly believes that each child is unique, valuable and impressionable and that the sky is the limit. She helps them understand that while there are limits to what our body can do, there are no limits to what you can think or dream. She believes that regardless of the circumstances everyone can and will learn if they see the need, rational and importance for learning.

We are thrilled for Mrs. Moyer to receive such a high level of recognition and praise for her professional accomplishments. Her passion for education is infectious, not only at Anthony Elementary, but throughout the Leavenworth School District.

I am honored to present this framed House certificate to Mrs. Moyer.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2356, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the issuance of the honor and remember plate, by Committee on Veterans, Military and Homeland Security.

HB 2357, AN ACT designating a portion of United States highway 169 as the 242nd engineer company – KS army national guard – memorial highway, by Committee on

Transportation.

HB 2358, AN ACT regulating traffic; promoting traffic safety; establishing a safety corridor program; safety corridor fund; amending K.S.A. 2012 Supp. 8-1560c, 8-1560d, 8-2118 and 74-7336 and repealing the existing sections, by Committee on Transportation.

HB 2359, AN ACT concerning agriculture; relating to the plant pest and agriculture commodity certification act; live plant dealer's licenses; amending K.S.A. 2012 Supp. 2-2120 and repealing the existing section, by Committee on Appropriations.

HB 2360, AN ACT concerning mortgages of real property; relating to stays of mortgage foreclosure proceedings against servicemembers, by Committee on Veterans, Military and Homeland Security.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2351; SB 91.**

Children and Seniors: **HB 2348.**

Commerce, Labor and Economic Development: **HB 2340, HB 2341; SB 37.**

Corrections and Juvenile Justice: **HB 2353; SB 41, SB 49, SB 92.**

Education: **HB 2349.**

Education Budget: **HB 2350.**

Elections: **HB 2342, HB 2354.**

Energy and Environment: **HR 6015.**

Federal and State Affairs: **Sub SB 36.**

Financial Institutions: **SB 52.**

General Government Budget: **SB 102.**

Health and Human Services: **HB 2343.**

Insurance: **HB 2339; SB 24, SB 25, SB 51.**

Judiciary: **HB 2345, HB 2346; SB 59, SB 80.**

Pensions and Benefits: **HB 2352.**

Taxation: **HB 2344, HB 2347, HB 2355.**

Transportation: **SB 68, SB 69.**

COMMUNICATIONS FROM STATE OFFICERS

From Barbara J. Hickert, State LTC Ombudsman, Kansas Department of Administration, pursuant to K.S.A. 75-7306, Long-Term Care Ombudsman 2012 Annual Report, which can also be found at <http://www.kansasombudsmanksgov.com>.

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 **SB 107.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

SB 107.

CONSENT CALENDAR

No objection was made to **HB 2106, HB 2140, HB 2142, HB 2148, HB 2149, HB 2151, HB 2156** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2130** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

Speaker Merrick announced that **HB 2130** will be voted on Final Action on Monday.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2030, AN ACT concerning hunting, relating to deer permits; amending K.S.A. 2012 Supp. 32-971 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Cassidy, Christmann, Doll, Edwards, Hermanson, Johnson, Montgomery, Pauls, Peterson.

The bill passed, as amended.

HB 2066, AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2012 Supp. 65-2921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 16; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Claeys, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Esau, Ewy, Finch, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bollier, Campbell, Clayton, Concannon, Finney, Frownfelter, Gandhi, Henderson, Meier, Perry, Rooker, Ruiz, Schwartz, Thimesch, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Carpenter, Cassidy, Christmann, Doll, Edwards, Hermanson, Huebert, Johnson, Montgomery, Pauls, Peterson.

The bill passed, as amended.

HB 2213, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; certain member elections; retirement benefit determinations, one-time payment; membership; amending K.S.A. 2012 Supp. 74-49,135, 74-49,205, 74-49,301, 74-49,306, 74-49,308, 74-49,313 and 74-49,315 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Cassidy, Christmann, Doll, Edwards, Hermanson, Johnson, Montgomery, Pauls, Peterson.

The bill passed, as amended.

HB 2228, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; employer payments to group insurance reserve fund; amending K.S.A. 2012 Supp. 74-4927 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker,

Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Cassidy, Christmann, Doll, Edwards, Hermanson, Johnson, Montgomery, Pauls, Peterson.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Meigs in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Meigs, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2035** be passed.

Committee report to **HB 2201** be adopted; also, on motion of Rep. Sloan to amend, the motion did not prevail and the bill be passed as amended.

Committee report to **HB 2154** be adopted; and the bill be passed as amended.

Committee report to **HB 2155** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2050** be amended on page 5, in line 40, by striking all after "2-2448"; in line 41, by striking "2-2910"; also in line 41, by striking all after "2-2204"; in line 42, by striking all before "are";

On page 1, in the title, in line 2, by striking all after the second semicolon; in line 3, by striking all before "amending" in line 4, by striking all after "sections"; by striking all in line 5; in line 6, by striking all before the period; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2139** be passed.

Committee on **Financial Institutions** recommends **HB 2152** 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 **General Government Budget** recommends **HB 2143**, **HB 2145** 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 **Health and Human Services** recommends **HB 2153** be amended on page 3, in line 25, by striking "by December 1, 2008,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2115**, **HB 2163** be passed.

Committee on **Judiciary** recommends **HB 2014** be amended on page 2, in line 14, after "annulment," by inserting "if the decree of divorce or annulment specifies any interests of the former spouse described in this subsection which are to be revoked or severed,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2017** be amended by substituting a new

bill to be designated as "Substitute for HOUSE BILL NO. 2017," as follows:

"Substitute for HOUSE BILL NO. 2017

By Committee on Judiciary

"AN ACT concerning criminal procedure; relating to appeals from municipal court; amending K.S.A. 12-4601 and K.S.A. 2012 Supp. 22-3609 and 22-3609a and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2017** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2128** be amended on page 3, in line 2, after "acquisition" by striking "or"; in line 3, by striking "disposal";

On page 4, in line 19, before "information" by inserting "usage and cost"; also in line 19, by striking "individual"; in line 20, by striking "customers named" and inserting "addresses identified";

On page 8, in line 7, after "electric," by inserting "potable water, waste water disposal,;" and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2164** be amended on page 1, in line 6, after "information" by inserting "regarding citizenship"; in line 9, by striking "in a form and manner approved"; in line 10, by striking "by the secretary of state" and inserting "as established by supreme court rule"; in line 12, by striking "and any other lawful"; in line 13, by striking "purpose"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2118** be passed.

Committee on **Local Government** recommends **HB 2075** be amended on page 1, in line 25, by striking ", morals"; in line 26, by striking "including, but not limited to, economic welfare,;" in line 30, by striking "light" and inserting "lack of ventilation"; in line 31, by striking "uncleanliness,;" in line 33, by striking "walls, sidings or"; by striking all in line 34; in line 35, by striking "of the properties in the neighborhood,;"

On page 2, in line 1, by striking "inadequate drainage,;" also in line 1, after "of" by inserting "a property maintenance code or of any"; in line 19, by striking "or economic"; in line 20, by striking "development"; in line 35, by striking "or economic development"; 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. 23, by Representative Ewy, congratulating Alex Ford on achieving the rank of Eagle Scout;

Request No. 24, by Representative Jennings, congratulating David James Huddleston on achieving the rank of Eagle Scout;

Request No. 25, by Representative Hermanson, congratulating Ashley Goodrich for being an outstanding campaign manager in 2012;

Request No. 26, by Representative Trimmer, congratulating Dakota Soukup for achieving the rank of Eagle Scout;

Request No. 27, by Representative Mast, congratulating Coffey County Land Title Company for twenty-five years of service to Coffey County community;

Request No. 28, by Representatives Howell and DeGraaf, honoring Colonel George Boyd, USA, Retired, for his dedicated service for twenty-eight years during the Korean

War, Vietnam War, and World War II and receiving the Congressional Gold Medal;

Request No. 29, by Representatives Hawkins and Ward, congratulating Kiah Duggins on receiving the Barton Scholarship;

Request No. 30, by Representatives Hawkins and Ward, congratulating Amanda Johnson for receiving the Gore Scholarship;

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. Vickrey, 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 thereupon introduced and read by title:

HB 2361, AN ACT concerning the Kansas limited liability company act; relating to low-profit limited liability companies; amending K.S.A. 17-7664 and K.S.A. 2012 Supp. 17-7663 and repealing the existing sections, by Committee on Judiciary.

HB 2362, AN ACT concerning wildlife, parks, recreation and tourism; relating to endangered species conservation; amending K.S.A. 32-958, 32-960, 32-960a and 32-961 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2363, AN ACT concerning water; relating to wastewater regulations; relating to aggregate mining operations; amending K.S.A. 2012 Supp. 82a-734 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2364, AN ACT concerning publication of constitutional amendments; relating to publication on a website; amending K.S.A. 64-103 and repealing the existing section, by Committee on General Government Budget.

HB 2365, AN ACT concerning property; relating to conservation easements; amending K.S.A. 24-1209, 58-3810, 58-3811 and 58-3812 and repealing the existing sections, by Committee on Energy and Environment.

HB 2366, AN ACT concerning the use of public funds to promote or implement sustainable development, by Committee on Energy and Environment.

HB 2367, AN ACT concerning energy; relating to wind turbines, setback and siting requirements, by Committee on Energy and Environment.

HB 2368, AN ACT concerning social welfare; relating to the governor's mental health services planning council; amending K.S.A. 39-1606 and K.S.A. 2012 Supp. 39-1605 and repealing the existing sections, by Committee on Health and Human Services.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Burroughs as a member of Committee on Appropriations to replace Rep. Grant for February 18 and 19. Rep. Grant will return to the committee on February 20.

REPORT ON ENGROSSED BILLS

HB 2030, HB 2066, HB 2213, HB 2228 reported correctly engrossed February 14, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6007 reported correctly enrolled and properly signed on February 15, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 18, 2013.

Journal of the House

TWENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 18, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Grant and Hermanson were excused on verified illness.

Reps. Carpenter, Christmann, Johnson and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today as we continue the business before us,
help us to remember three important things as we make decisions.
First, we pray that all the alternatives being considered
will be positive, constructive, and morally correct.
Secondly, help us to be sure our decisions are based
upon choices that emphasize freedom.
This means we may need to set aside our own preferences
and preconceptions and strive to be free of social pressures.
Thirdly, as we go through the process of making decisions,
help us to realize it will require work
on our part to make every reasonable effort
to discern and find Your will.
Because these three things require our hearts as well as our minds,
we come before You and ask for clear minds and sensitive hearts.
Please surround the family of Wayne Owen today
with your comfort, strength and grace.
May Your Presence carry them in this time of deep loss and grief.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Ward.

PERSONAL PRIVILEGE

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

During the week of February 16-23 the Kansas FFA Association is celebrating 85 Years of FFA. Our programs are found in both rural and urban areas of Kansas with chapters being located in or very near the cities of Garden City, Hays, Hutchinson, Lawrence, Manhattan, Newton, Olathe, Pittsburg, Salina, and Topeka. FFA members can be found in 87 of the 105 counties across Kansas.

Look around, you will see FFA members volunteering for a cause, promoting hunger-awareness initiatives, and educating the general public about premier leadership, personal growth and career success they are experiencing in Agriculture Education & FFA.

Much has changed over the past 85 years with agricultural education, the National FFA Organization, and Kansas FFA Association. We have opened the door to female membership (1969); grown in numbers (8,300 Kansas FFA members from 165 FFA Chapters across the state); and have adjusted programming to remain relevant in today's societal needs by expanding agricultural opportunities encompassing science, business and technology, in addition to production farming.

The Kansas FFA Association is led by the state officer team - six students who are attending college.

The 2012-13 State FFA Officer Team members are:

Emily Beneda from Wilson, a freshman at Kansas State University majoring in Food Science & Management.

Glendolyn Neely from Humboldt, a junior at Kansas State University majoring in Agriculture Communication & Communication Sciences & Disorders.

Chelsey Smith from Hays, a sophomore at Kansas State University majoring in Agriculture Education.

Kayla Clapp from Caney, a freshman at Kansas State University majoring in Food Science & Management.

Justin Haun from Fredonia, a freshman at Kansas State University majoring in Agriculture Education.

Denver Johnston from Garnett, a freshman at Kansas State University majoring in Milling Science & Management

A new team of state FFA officers will be elected at the 85th Kansas FFA Convention at the closing session of the convention on May 31. You are welcome to join us at this celebratory convention held on the Kansas State University campus May 29-31.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2369, AN ACT concerning health insurance; relating to employer contributions; providing modification to federal adjusted gross income for Kansas income tax purposes; amending K.S.A. 2012 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2370, AN ACT concerning income taxation; relating to certain net operating losses; amending K.S.A. 2012 Supp. 79-32,143 and repealing the existing section, by Committee on Taxation.

HB 2371, AN ACT concerning the low-income family postsecondary savings account incentive program; amending K.S.A. 2012 Supp. 75-650 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2359, HB 2362, HB 2363.**

Appropriations: **HB 2360.**

Elections: **HB 2364.**

Energy and Environment: **HB 2365, HB 2366, HB 2367.**

Health and Human Services: **HB 2368; SB 107.**

Judiciary: **HB 2361.**

Transportation: **HB 2356, HB 2357, HB 2358.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2029** from Committee on Health and Human Services and referral to Committee on Social Services Budget.

Also, withdrawal of **HB 2117** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2157** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2345** from Committee on Judiciary and referral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2354** from Committee on Elections and referral to Committee on General Government Budget.

COMMUNICATIONS FROM STATE OFFICERS

From Robert Moser, M..D., Secretary and State Health Officer, Kansas Department of Health and Environment, Annual Report, 2012.

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 2143, HB 2145, HB 2152** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2106, HB 2140, HB 2142, HB 2148, HB 2149, HB 2156** appearing on the Consent Calendar for the second day.

Objection was made to **HB 2151** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2035, AN ACT concerning education requirements for certain contractors; amending K.S.A. 2012 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 117; Nays 2; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Howell.

Present but not voting: None.

Absent or not voting: Carpenter, Christmann, Grant, Hermanson, Johnson, Peterson.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2035** nearly quadruples education requirements for certain contractors who elect to satisfy part of the licensing requirement for their profession with trade-related schooling, as allowed by statute. The bill does not necessarily reduce classroom hours in lieu of additional program hours which includes classroom hours. It is unclear if the trainee pays for the program hours or if they receive a wage. This bill unnecessarily grows regulations possibly limiting the pool of skilled workforce and may raise the cost of service to their clientele. This may also raise the cost of training and make entering these professions more difficult. I vote no on **HB 2035**. – JIM HOWELL, PETE DEGRAAF

HB 2130, AN ACT concerning elections; relating to petitions; amending K.S.A. 2012 Supp. 25-205, 25-302a, 25-303, 25-3602, 25-4005, 25-4310 and 25-4320 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber,

Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Finch.

Present but not voting: None.

Absent or not voting: Carpenter, Christmann, Grant, Hermanson, Johnson, Peterson.

The bill passed.

HB 2154, AN ACT concerning the board of cosmetology; relating to licensure and renewal; amending K.S.A. 65-1904a and K.S.A. 2012 Supp. 65-1904b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Christmann, Grant, Hermanson, Johnson, Peterson.

The bill passed, as amended.

HB 2155, AN ACT concerning cosmetology; relating to licensure and renewal; amending K.S.A. 2012 Supp. 65-1905, 65-1943, 65-1945 and 65-1950 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Christmann, Grant, Hermanson, Johnson, Peterson.

The bill passed, as amended.

HB 2201, AN ACT concerning telecommunications; relating to the state corporation commission, regulation; concerning the Kansas universal service fund, eligibility and disbursements; establishing the telecommunications study committee; amending K.S.A. 66-1,188, 66-1,191, 66-1,195, 66-2002, 66-2003 and 66-2007 and K.S.A. 2012 Supp. 66-1,187, 66-2005, 66-2006, 66-2008 and 66-2009 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Hibbard.

Present but not voting: None.

Absent or not voting: Carpenter, Christmann, Grant, Hermanson, Johnson, Peterson.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I voted "No" on **HB 2201**. By decreasing payments into the Kansas Universal Service Fund, this bill will allow price discrimination based on geographic location. For Kansans living in outlying areas, landlines are a necessity. Until technology provides us with good cellphone reception and a phone product that is simplified enough for elderly people to understand and use, this fund should be kept intact.

This bill may come back to haunt rural Kansas. — LARRY P. HIBBARD

MR. SPEAKER: I vote Aye on **HB 2201**, but urge my fellow legislators and the telecommunications industry to address the Federal Communications Commission's Order regarding text messaging and next generation E-911 services. If PSAPs are unable to receive the messages from the telecom provider, the person in distress will not receive the assistance he/she needs. This is a safety issue and the necessary funding to ensure PSAP capabilities should be a priority. — TOM SLOAN, JOHN WILSON

On motion of Rep. Vickrey, 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 **HB 2125** be passed.

Committee report to **HB 2202** be adopted; and the bill be passed as amended.

Committee report to **HB 2122** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2001** be adopted; also, on motion of Rep. Swanson, be rereferred to Committee on Veterans, Military and Homeland Security.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2195** be amended on page 1, in line 7, by striking "year;" and inserting "years"; also in line 7, after the second comma, by inserting "June 30, 2014, June 30, 2015, and June 30, 2016,";

On page 4, in line 13, by striking all after "On"; in line 14, by striking all before "for" and inserting "July 1, 2013, the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue"; also in line 14, by striking "owed" and inserting "claimed"; in line 23, by striking all after the second comma; in line 24, by striking all before "for" and inserting "the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue"; also in line 24, by striking "owed" and inserting "claimed"; in line 32, by striking all after the second comma; in line 33, by striking all before "for" and inserting "the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue"; also in line 33, by striking "owed" and inserting "claimed"; in line 41, by striking "the effective date of this act" and inserting "July 1, 2013,";

On page 5, in line 1, after "reimbursements" by inserting "to the following claimant"; following line 1, by inserting:

"City Treasurer";

Also on page 5, in line 8, after "reimbursements" by inserting "to the following claimant"; following line 9, by inserting:

"City Treasurer";

Also on page 5, in line 16, after "reimbursements" by inserting "to the following claimant"; following line 17, by inserting:

"City Treasurer";

Also on page 5, in line 22, by striking all after "fund"; in line 23, by striking "operating expenditures account"; following line 24, by inserting:

"County Treasurer"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2069** be amended on page 1, in line 7, by striking all after "resolution"; in line 8, by striking all before "which" and inserting "or law"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2083** be amended on page 3, in line 29, after the period by inserting "For the purposes of this subsection, the term "costs" shall include amounts expended by the board for printing of ballots and necessary postage.";

On page 5, in line 20, by striking all after "(g)"; by striking all in lines 21 and 22; in line 23, by striking all before "shall" and inserting "The cost for the fees of court reporters and fact finders provided by the secretary of labor upon the request of the board";

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

Committee on **Education** recommends **HB 2181** be passed.

Committee on **Education** recommends **HB 2261** be amended on page 9, in line 21, before "At" by inserting "It is the public policy goal of the state of Kansas that"; and the bill be passed as amended.

Committee on **Utilities and Telecommunications** recommends **HB 2138** be amended on page 1, in line 6, after "55-105," by inserting "55-106,";

On page 1, in the title, in line 1, after "55-105," by inserting "55-106,"; 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 2372, AN ACT concerning certain municipalities; relating to disclosures regarding fluoride in water supplies, by Committee on Federal and State Affairs.

HB 2373, AN ACT concerning minors; relating to awarding of high school diplomas to certain persons; amending K.S.A. 2012 Supp. 38-2285 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2374, AN ACT concerning treatment facilities; relating to substance abuse services, by Committee on Federal and State Affairs.

REPORT ON ENGROSSED BILLS

HB 2154, **HB 2155**, **HB 2201** reported correctly engrossed February 15, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, February 19, 2013.

Journal of the House

TWENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 19, 2013, 10:00 a.m.

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

The roll was called with 119 members present.

Reps. Grant, Hermanson and Kuether were excused on verified illness.

Reps. Bruchman, Peterson and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,
thank you for the privilege of coming before You today
to lift up in prayer these leaders before me.
Fill them with gratitude for the opportunity
they have to serve in this place.
Use their talents and gifts You have given them
to do their work and to contribute to the common good.
Give each mind clarity of thought and purity of motive
so they may render their service to the best of their ability.
Tune each set of ears to hear Your still small voice within.
Open each pair of eyes to see You in one another and
especially in those with whom they disagree.
Excite each mind to the great possibilities that lie before them.
Do some of Your very best work in them.
Be with their families back home today.
Watch over them, protect them, and encourage them
as many are separated from their
spouse, dad, or mom for the week.
May everything that is said and accomplished today
bring You honor and glory.
In the Name of Your Son, I pray,
Amen.

The Pledge of Allegiance was led by Rep. Hedke.

PERSONAL PRIVILEGE

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

Leadership Norton County is an intensive six-month course designed to create a network of community leaders who are informed about the government, public policies, facilities and services of Norton County. Today's class represents the 9th since 1999.

During the six-month session (one day a month) class members are introduced to goal setting, conflict management, parliamentary procedure, leadership development, trust building, personality evaluation and public speaking. General sessions cover the topics of agriculture, rural health and economic development and the class tours the area's government entities, businesses and facilities to gain first-hand knowledge.

Leadership Norton County is coordinated and facilitated by the Norton Area Chamber of Commerce Director, with the support from K-State Research and Extension and the Twin Creeks Extension District and Norton City/County Economic Development.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and resolution were introduced and read by title:

HB 2375, AN ACT concerning the school sports head injury prevention act; relating to health care providers; amending K.S.A. 2012 Supp. 72-135 and repealing the existing section, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5013**—
By Committee on Appropriations

A CONCURRENT RESOLUTION to indicate the Legislature's intention not to expand medicaid services in Kansas as provided under the federal affordable care act.

WHEREAS, The federal government authorized the expansion of medicaid services as a provision of the federally mandated patient protection and affordable care act;

WHEREAS, The Supreme Court of the United States ruled that the affordable care act was unduly coercive to states with its threat to eliminate all federal funding for medicaid if states did not expand eligibility as outlined in the affordable care act;

WHEREAS, The expansion of medicaid services in Kansas with federal funds as provided for in the patient protection and affordable care act will commit future Kansas Legislatures and the citizens of Kansas to share the cost in future years;

WHEREAS, The affordable care act will have a significant woodwork effect, leading Kansans with private coverage to convert to less stable publicly funded programs;

WHEREAS, Medicaid expansion would significantly harm the state's economy by making private sector healthcare smaller at the expense of government-provided care;

WHEREAS, Medicaid expansion would dramatically increase the number of Kansans receiving public assistance;

WHEREAS, Kansas is committed to Kansas solutions to Kansas problems and the citizens of Kansas provide assistance to the most vulnerable through safety net clinics, support for physicians and hospitals, and other assistance;

WHEREAS, The federal government could further obligate the state to fully fund the medicaid expansion through maintenance of effort provisions, should federal funds cease;

WHEREAS, The state's official forecast has indicated medicaid expansion, combined with the woodwork effect, will cost the state in excess of \$1billion over the next ten years;

WHEREAS, Kansas medicaid and the children's health insurance program currently covers children whose household income is below 232% of the poverty level;

WHEREAS, Kansas medicaid currently covers pregnant mothers whose household income is less than 150% of the federal poverty level;

WHEREAS, Participating in the federal medicaid expansion would require the state of Kansas to cover people in 100-133% of the federal poverty level on medicaid, while by not participating these same individuals would be eligible to receive private, federally subsidized coverage;

WHEREAS, Governor Brownback has stated his concern that the federal government will not keep its long term commitment to 90% federal medical assistance percentage rate for the medicaid expansion populations: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the will of the Kansas Legislature is that the state of Kansas not expand medicaid above its current eligibility levels.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2373**.

General Government Budget: **HB 2371**.

Health and Human Services: **HB 2372, HB 2374**.

Taxation: **HB 2369, HB 2370**.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Swanson, **HR 6009**, A resolution commemorating Emporia State University's Sesquicentennial, was adopted.

There being no objection, the following remarks of Reps. Swanson and Hill are spread upon the Journal:

Remarks by Rep. Swanson:

Kansas State Normal was founded in 1863 with the mission to prepare teachers. Lyman Kellogg, the first president and lone faculty member, opened the school with 18 students, a bible and a chalkboard. Over the past 150 years, the name has changed from the Normal School to Kansas State Teachers College, Emporia Kansas State College to Emporia State University as it is known today, but the mission has not changed, still educating Kansas' citizens as well as others from around the world.

Today, the university is a comprehensive regional institution of higher education with over 61,000 alumni living in all 50 states and in 80 different countries. Over half of those alumni live and contribute to the great State of Kansas.

ESU is consistently ranked as a tier 1 regional university, as reported by the annual

US News and World Report's "Best College's" edition.

ESU's School of Business is AACSB accredited, a designation held by less than 5 percent of the business schools worldwide.

ESU's Teachers College holds the International Reading Association Award and Certificate of Distinction for the Reading Preparation of Elementary and Secondary Teachers.

ESU is only one of four post-secondary institutions in the nation to be identified as an Exemplary Model Teacher Education in a national study of teacher education programs entitled Educating School Teachers.

ESU students earn the highest percentage of graduate degrees among the Kansas Regents' Universities. On average, one-third of the degrees earned annually are graduate degrees.

ESU's campus became the first of the Kansas colleges to become completely handicap accessible.

An interesting "fun fact" for the legislature-the first woman legislator in Kansas was Minnie J. Grinstead, a graduate of Kansas State Normal. She served in the Kansas Legislature from 1918 to 1924 and was the first woman in the United States to serve on the Judiciary Committee.

Remarks by Rep. Hill:

Today we observe 150 years of extraordinary history of Emporia State University, one of our outstanding institutions. We congratulate ESU on accomplishments and success which provide a source of pride for the entire state of Kansas.

As we celebrate today and look forward to the future it is appropriate we pause to recognize the vision, the wisdom and the courage leaders in the community, at the institution and in the Capitol exhibited in making critical investments in higher education.

For their commitment and passion for ESU's success, I want to thank ESU leadership, faculty, staff, students and alums. To you my legislative colleagues, thank you for the commitment we continue to make to the critical investment in education and a bright Kansas future.

Rep. Swanson introduced Dr. Michael Schonrock, President of Emporia State University and Brooke Schmidt, President of the ESU Student Government Association.

CONSENT CALENDAR

Objection was made to **HB 2106** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

No objection was made to **HB 2143, HB 2145, HB 2152** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2140, HB 2142, HB 2148, HB 2149, HB 2156** 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

Speaker pro tem Mast announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2051** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2051," as follows:

"Substitute for HOUSE BILL NO. 2051

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to streams, dams and obstructions; relating to water rights; relating to water flex accounts; amending K.S.A. 82a-307 and K.S.A. 2012 Supp. 82a-301, 82a-302, 82a-303b, 82a-326, 82a-736 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 24-105, 24-107, 82a-312, 82a-313 and 82a-314 and K.S.A. 2012 Supp. 24-106, 74-509, 82a-307a, 82a-326a and 82a-735."; and the substitute bill be passed.

(**Sub HB 2051** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** 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 Agriculture and Natural Resources

"AN ACT concerning public health; relating to confined feeding facilities; registration; amending K.S.A. 2012 Supp. 65-171d and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2207** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2218** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2169** 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 **HB 2170** be amended on page 40, following line 22, by inserting:

"(22) determine the impact and effectiveness of supervision and sanctions for felony offenders regarding recidivism and prison and community-based supervision populations."; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2209** be amended on page 1, in line 27, by striking "May 29" and inserting "July 1";

On page 2, in line 41, by striking "21-5605" and inserting "21-5604";

On page 3, in line 24, by striking "May 29" and inserting "July 1"; in line 35, after "or" by inserting "subsections (a)(1), (a)(2) or (a)(4) of"; also in line 35, after "thereto" by inserting ". The provisions of this paragraph shall not apply to violations of subsection (a)(3) of K.S.A. 2012 Supp. 21-5405, and amendments thereto, which occurred on or after July 1, 2011, through July 1, 2013";

On page 4, in line 16, before the colon by inserting ", on or after July 1, 2007"; in line 17, by striking "On or after July 1, 2007,";

On page 7, in line 26, by striking "from" and inserting "that does not require the daily

return to";

On page 11, in line 32, after "facility" by inserting ". A copy of the registration form and any updated registrations for an offender released on work or school release shall be sent to the registering law enforcement agency where the offender is incarcerated, maintains employment or attends school"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2162** be amended on page 1, in line 5, by striking "may" and inserting "shall"; in line 12, after "shall" by inserting ", within 10 days of certification,"; also in line 12, after "request" by inserting "from"; in line 19, after "shall" by inserting ", within 10 days of publication,"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2099** be amended on page 1, in line 8, by striking all after "secretary"; in line 9, by striking all before the comma and inserting "for aging and disability services or the Kansas department of health and environment, or both"; in line 33, by striking all after "secretary"; in line 34, by striking "and families" and inserting "for aging and disability services or the Kansas department of health and environment, or both,";

On page 2, in line 2, by striking all after "secretary"; in line 3, by striking all before "pursuant" and inserting "for aging and disability services or the Kansas department of health and environment, or both,"; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2122, HB 2202 reported correctly engrossed February 18, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6013, HR 6014 reported correctly enrolled and properly signed on February 19, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 20, 2013.

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 20, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Rep. Lane was excused on verified illness.

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

Prayer by Chaplain Brubaker:

Dear Lord,

Many times when we come to You and ask You to help us,
if we are honest, we really sometimes don't listen to You.

For instance:

help us to relax about insignificant details,

beginning tomorrow at 7:41 a.m.;

help us to consider people's feelings,

even if most of them are hypersensitive;

help us to take responsibility for the consequences of our actions,
even though they're usually not our fault;

help us to not try to run everything –

but, if You need some help, please feel free to ask us;

help us to be more laid back, and help us to do it exactly right;

give us patience, and we mean right now;

help us to do only what we can, and trust You for the rest--
and would You mind putting that in writing?

keep us open to others' ideas, misguided though they may be.

In all seriousness, though, we do seek You and Your wisdom

We know we cannot do what needs to be done

without Your guidance, Your power, and Your strength.

Remind us to today that we “can do all things

through Christ who strengthens us.”

And for this major storm You are sending our way –

please keep us all safe!

It is in Christ Jesus that I pray,

Amen.

The Pledge of Allegiance was led by Rep. Hineman.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HCR 5013**.

Health and Human Services: **HB 2375**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2325** from Committee on Appropriations and referral to Committee on General Government Budget.

COMMUNICATIONS FROM STATE OFFICERS

From Sandy Praeger, Commission of Insurance, Kansas Insurance Department, pursuant to K.S.A. 40-108, 2012 Annual Report, summarizing the activities of the Kansas Insurance Department through December 31, 2012.

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 2169** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2143**, **HB 2145**, **HB 2152** 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 2143, AN ACT repealing K.S.A. 75-52,119, 75-52,120 and 75-52,121; concerning the department of corrections; relating to the purchase of certain real estate, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey,

Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2145, AN ACT repealing K.S.A. 75-5028; concerning the purchase of real estate by the secretary of transportation, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2152, AN ACT concerning the uniform land sales practices act; amending K.S.A. 2012 Supp. 17-12a601 and repealing the existing section; also repealing K.S.A. 58-3301, 58-3302, 58-3303, 58-3304, 58-3305, 58-3306, 58-3307, 58-3308, 58-3309, 58-3310, 58-3311, 58-3312, 58-3313, 58-3315, 58-3316, 58-3317, 58-3318, 58-3319, 58-3320, 58-3321, 58-3322 and 58-3323 and K.S.A. 2012 Supp. 58-3314, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried,

Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2122, AN ACT concerning real estate brokers and salespersons; pertaining to licensure; pertaining to technical amendments; amending K.S.A. 58-30,106 and K.S.A. 2012 Supp. 58-3046a, 58-3050, 58-3062 and 58-30,103 and repealing the existing sections, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Campbell.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed, as amended.

HB 2125, AN ACT concerning real estate brokers and salespersons; relating to license fees; amending K.S.A. 2012 Supp. 58-3063 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 50; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Carlin, Christmann, Clayton, Concannon, Crum, Davis, Dierks, Doll, Dove, Ewy, Finch, Finney, Frownfelter, Gandhi, Gonzalez, Grant, Hawkins, Hedke, Henry, Hermanson, Hibbard, Hineman, Houston, Huebert, Hutton, Jennings, Johnson, Kelly, Kleeb, Lunn, Lusk, Meier, Menghini, Moxley, Osterman, Pauls, Perry, Phillips, Proehl, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Sawyer, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Trimmer, Vickrey, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Campbell, Carlson, Carpenter, Cassidy, Claeys, Corbet, DeGraaf, Dillmore, Edmonds, Edwards, Esau, Garber, Goico, Grosserode, Henderson, Highland, Hildabrand, Hoffman, Houser, Howell, Jones, Kahrs, Kelley, Kinzer, Kuether,

Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rubin, Ruiz, Schroeder, Schwab, Siegfried, Sutton, Thimesch, Tietze, Todd, Victors, Ward, Weber.

Present but not voting: Brunk.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2140, AN ACT repealing K.S.A. 72-60b03; relating to the effective date of the midwestern higher education compact act, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2142, AN ACT repealing K.S.A. 72-8165, 72-8166, 72-8167, 72-8168, 72-8169, 72-8169a, 72-8170, 72-8171, 72-8172, 72-8173, 72-8174 and 72-8175; concerning land transfers, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2148, AN ACT concerning postsecondary education scholarships; amending K.S.A. 74-3292, 74-3293 and 74-3297 and K.S.A. 2012 Supp. 74-32,100 and repealing the existing sections; also repealing K.S.A. 72-9701, 72-9702, 72-9703, 72-9704, 72-9705, 72-9706, 74-3299, 74-32,112, 74-32,113, 74-32,114, 74-32,115, 74-32,116, 74-32,117, 74-32,118 and 74-32,119 and K.S.A. 2012 Supp. 74-32,107d, 74-32,131, 74-32,132, 74-32,133, 74-32,134, 74-32,135, 74-32,136, 74-32,137 and 74-32,138, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claey's, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Vickrey, Waymaster, Weber, Winn, Wolfe Moore.

Nays: Alcalá, Bridges, Burroughs, Carlin, Dillmore, Goico, Grant, Houston, Meier, Menghini, Trimmer, Victors, Ward, Weigel, Whipple, Wilson.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2148**. This bill eliminates unfunded scholarship programs such as the Kansas Honors Scholarship and the Kansas Ethnic Minority Fellowship Program. This legislature should invest in scholarship programs that make higher education available to our best and brightest. We should be looking for ways to fund scholarships, not eliminating them. **HB 2148** sends the wrong message. — JIM WARD

HB 2149, AN ACT concerning postsecondary education student loans and tuition grants; amending K.S.A. 74-3241 and repealing the existing section; also repealing K.S.A. 72-7401, 72-7402, 72-7403, 72-7404, 72-7405, 72-7406, 72-7407, 74-3233, 74-3235, 74-3236, 74-3237, 74-3238, 74-3239 and 74-3240, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 14; Present but not voting: 0; Absent or not

voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Vickrey, Waymaster, Weber, Whipple, Winn, Wolfe Moore.

Nays: Alcalá, Bridges, Dillmore, Grant, Henry, Houston, Meier, Menghini, Sloop, Trimmer, Victors, Ward, Weigel, Wilson.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2156, AN ACT concerning school finance; relating to area vocational school fund; relating to local effort as applied to U.S.D. No. 450; amending K.S.A. 2012 Supp. 72-6409 and repealing the existing section; also repealing K.S.A. 72-6422 and 72-8189, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed.

HB 2202, AN ACT concerning transportation; relating to motor carrier regulations, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Lane, Peterson.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Alford in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Alford, Committee of the Whole report, as follows, was adopted: Recommended that **Sub HB 2017** be passed over and retain a place on the Calendar.

On motion of Rep. Rhoades, **HB 2139** be rereferred to Committee on Financial Institutions.

Committee report to **HB 2261** be adopted; and the bill be passed as amended.

Committee report to **HB 2014** be adopted; and the bill be passed as amended.

Committee report to **HB 2164** be adopted; also, on motion of Rep. Rubin to amend, the motion did not prevail.

Also, on motion of Rep. McPherson to amend **HB 2164**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Rubin to amend **HB 2164** on page 1, in line 10, before "as" by inserting "in a form and manner approved by the secretary of state and"

On roll call, the vote was: Yeas 65; Nays 54; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Barker, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, Montgomery, O'Brien, Osterman, Pauls, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcala, Ballard, Becker, Bideau, Bollier, Bridges, Bruchman, Burroughs, Carlin, Cassidy, Clayton, Concannon, Davis, Dierks, Dillmore, Ewy, Finch, Finney,

Frownfelter, Gandhi, Gonzalez, Grant, Henderson, Henry, Hibbard, Hineman, Houston, Jennings, Kuether, Lusk, Meier, Meigs, Menghini, Moxley, Perry, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Doll, Hill, Kelly, Lane, Peck, Peterson.

The motion of Rep. Rubin prevailed; and **HB 2164** be passed as amended.

PERSONAL PRIVILEGE

There being no objection, the following joint remarks of Reps. Ward and Hawkins are spread upon the Journal:

I bring you super star scholars from Wichita. Today I have the Barton and Gore Scholarship recipients. These scholars come from two very different and diverse high schools. One is from Wichita East, our oldest high school with roots dating back to the 1870s, and the largest high school in the State of Kansas. Wichita East has an enrollment of 2,300 students, 68% are free and reduced lunch, 17% speak English as a second language, 18% are African American, 30% are Hispanic, 33% are Caucasian and 12% use special education services. East High has 89 members of the National Honor Society.

The other is from Wichita Northwest, the newest high school in USD 259, opening in 1978. Northwest has 1,400 students and is the 22nd largest high school in Kansas. Forty-two percent are free and reduced lunch, 11% African American, 16% Hispanic, 58% Caucasian and 14% use special education services. Among its many distinguished graduates are Zach and Emily Ward.

The Barton scholarship is the largest business scholarship offered in Kansas. The 2013-2014 winner of the Barton Scholarship is Kiah Duggins of Wichita East High School. Kiah plans to attend Wichita State University majoring in international business with a minor in economics. She hopes to work at State Department or the U.S. Agency for International Development. In her spare time, she is a dancer, member of Spanish Club, National Honor Society, member of Global Awareness and Peace Promoters. She serves as the student body vice-president.

The Gore scholarship recognizes leadership and academic skills and is one of the largest undergraduate scholarships awarded in Kansas. The 2013-2014 winner of Harry Gore Memorial Scholarship is Amanda Johnson from Wichita Northwest High School. Amanda also plans to attend Wichita State University where she will study finance. Amanda is the vice president of Youth Entrepreneurship of DECA, member of National Honor Society, and sports editor for the Northwest Explorer student newspaper. She is a four year varsity athlete qualifying for State in track and field for two years.

Reps. Ward and Hawkins presented House certificates to Kiah and Amanda.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2044** be amended on page 1, in line 7, by striking "the" and inserting "great bodily harm results from the use of such"; in line 8, by striking "distributed causes or contributes to an effect on the body"; in line 9, by striking "resulting in great bodily harm to a user of such controlled

substance"; in line 12, by striking "the" and inserting "death results from the use of such"; also in line 12, by striking "distributed causes or"; by striking all in line 13; in line 14, by striking "controlled substance"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2302** be amended on page 1, in line 6, before "Section" by inserting "New"; by striking all in lines 24 through 32;

And by redesignating subsections accordingly;

On page 2, in line 10, by striking "periodic drug screenings and "; following line 11, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 75-4362 is hereby amended to read as follows: 75-4362. (a) The director of the division of personnel services of the department of administration shall have the authority to establish and implement a drug screening program for persons taking office as governor, lieutenant governor or attorney general and for applicants for safety sensitive positions in state government, but no applicant for a safety sensitive position shall be required to submit to a test as a part of this program unless the applicant is first given a conditional offer of employment.

(b) The director also shall have the authority to establish and implement a drug screening program based upon a reasonable suspicion of illegal drug use by any person currently holding one of the following positions or offices:

- (1) The office of governor, lieutenant governor or attorney general;
- (2) any safety sensitive position;
- (3) any position in an institution of mental health, as defined in K.S.A. 76-12a01, and amendments thereto, that is not a safety sensitive position;
- (4) any position in the Kansas state school for the blind, as established under K.S.A. 76-1101 et seq., and amendments thereto;
- (5) any position in the Kansas state school for the deaf, as established under K.S.A. 76-1001 et seq., and amendments thereto; or
- (6) any employee of a state veteran's home operated by the Kansas commission on veteran's affairs as described in K.S.A. 76-1901 et seq. and K.S.A. 76-1951 et seq., and amendments thereto.

(c) Any public announcement or advertisement soliciting applications for employment in a safety sensitive position in state government shall include a statement of the requirements of the drug screening program established under this section for applicants for and employees holding a safety sensitive position.

(d) Except for a person who has access to a secured biological laboratory in the office of laboratory services of the department of health and environment, no person shall be terminated solely due to positive results of a test administered as a part of a program authorized by this section if:

- (1) The employee has not previously had a valid positive test result; and
- (2) the employee undergoes a drug evaluation and successfully completes any education or treatment program recommended as a result of the evaluation. Nothing herein shall be construed as prohibiting demotions, suspensions or terminations pursuant to K.S.A. 75-2949e or 75-2949f, and amendments thereto.

(e) Except in hearings before the state civil service board regarding disciplinary action taken against the employee, the results of any test administered as a part of a program authorized by this section shall be confidential and shall not be disclosed publicly.

(f) The secretary of administration may adopt such rules and regulations as necessary to carry out the provisions of this section.

(g) "Safety sensitive positions" means the following:

- (1) All state law enforcement officers who are authorized to carry firearms;
- (2) all state corrections officers;
- (3) all state parole officers;
- (4) heads of state agencies who are appointed by the governor and employees on the governor's staff;
- (5) all employees with access to secure facilities of a correctional institution, as defined in K.S.A. 2012 Supp. 21-5914, and amendments thereto;
- (6) all employees of a juvenile correctional facility, as defined in K.S.A. 2012 Supp. 38-2302, and amendments thereto; ~~and~~
- (7) all employees within an institution of mental health, as defined in K.S.A. 76-12a01, and amendments thereto, who provide clinical, therapeutic or habilitative services to the clients and patients of those institutions; and
- (8) all employees who have access to a secured biological laboratory in the office of laboratory services of the department of health and environment.

Sec. 3. K.S.A. 2012 Supp. 75-4362 is hereby repealed.";

Also on page 2, in line 13, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "employees" by inserting "; amending K.S.A. 2012 Supp. 75-4362 and repealing the existing section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2322** be amended on page 6, in line 2, before "There" by inserting "(a)"; following line 12, by inserting:

"(b) Whenever the division of health, or words of like effect, are referred to or designated by statute, contract or other document, such reference or designation shall be deemed to apply to the division of public health."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2144** be passed.

Committee on **Judiciary** recommends **HB 2259** 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 2172** be amended on page 2, in line 42, by striking "15" and inserting "30";

On page 4, in line 29, by striking "space"; also in line 29, before the semicolon, by inserting "lot"; and the bill be passed as amended.

Committee on **Social Services Budget** recommends **HB 2160** be passed.

Committee on **Taxation** recommends **HB 2174** be passed.

Committee on **Taxation** recommends **HB 2042** be amended on page 3, in line 16, by striking "either at" and inserting "within 30 calendar days following"; in line 17, after "or" by inserting "within 30 calendar days following"; in line 39, after "appeal" by inserting "within 30 calendar days following the informal meeting";

On page 4, by striking all in lines 25 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 32;

On page 7, in line 15, by striking "at the time of" and inserting "within 30 calendar days following";

And by renumbering sections accordingly;

On page 9, in line 13, by striking "K.S.A. 79-1475 and"; in line 14, by striking "79-1460,";

On page 1, in the title, in line 1, by striking the first period; in line 2, by striking "79-1475 and K.S.A."; also in line 2, by striking "79-1460,"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2176** 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 **Transportation** recommends **HB 2177** be amended on page 2, in line 25, after "carrier," by inserting "except the driver of a farm vehicle,"; in line 27, by striking all after the period; by striking all in line 28; in line 29, by striking "age."; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2269** be amended on page 1, in line 9, by striking "Bowers" and inserting "Bower"; in line 11, by striking "Bowers" and inserting "Bower";

On page 1, in the title, in line 1, by striking "Bowers" and inserting "Bower"; 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 2376, AN ACT enacting the Kansas apology and disclosure of unanticipated medical outcomes and medical errors act; concerning required disclosure policies for unanticipated medical outcomes and medical errors by medical care providers and health care facilities; evidence in civil actions; expressions of apology, sympathy, compassion or benevolent acts by medical care providers or health care administrators not admissible as evidence of an admission of liability or as evidence of an admission against interest, by Committee on Taxation.

HB 2377, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 2012 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, 61-4001 and 65-409 and repealing the existing sections, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 91** from Committee on Appropriations and referral to Committee on Taxation.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6016**—

By Representative Schwab

A RESOLUTION honoring the life of Jim Weaver.

WHEREAS, Jim Weaver was a doorman for the Kansas House of Representatives for six years, and he passed away on September 19, 2012, after a battle with cancer; and

WHEREAS, Jim was born on December 22, 1938, in Bettie, Texas. He was raised in Bettie and graduated from Valley View High School. Jim also continued his education later in life at Washburn University; and

WHEREAS, Jim worked for Heinz for 35 years, and he retired as their Safety Coordinator in 1995. He also worked for Colmery-O'Neil VA Hospital, Dupont, and General Foods in addition to the time he spent serving the State of Kansas; and

WHEREAS, Faith was a very important part of Jim's life. He was a lifetime member of Antioch Missionary Baptist Church where he was an ordained deacon and former chairman of the Deacon Board. Jim also served as a member of the Trustee Board, kitchen coordinator, environmental technician and as a Sunday School teacher; and

WHEREAS, Jim leaves behind his loving wife, Josie Weaver, who was able to share a lifetime of loving memories with Jim before his passing: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we memorialize the life of Jim Weaver and thank him for his service to the State of Kansas.

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Representative Schwab.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Tietze to replace Rep. Bridges on Committee on Judiciary for February 21, 22 and 25. Rep. Bridges will return to the committee on February 26.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 21, 2013.

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 22, 2013, 10:00 a.m.

The Legislature was not in session Thursday, February 21, because of inclement weather.

The House met session pro forma with Speaker Merrick in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2377**.

Health and Human Services: **HB 2376**.

MESSAGE FROM THE SENATE

Announcing passage of **SB 1, SB 2, SB 22, SB 23, SB 27, SB 62, SB 73, SB 74, SB 83, SB 84, SB 85, SB 96, SB 104, SB 113, SB 141, SB 163**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were therupon introduced and read by title:

SB 1, SB 2, SB 22, SB 23, SB 27, SB 62, SB 73, SB 74, SB 83, SB 84, SB 85, SB 96, SB 104, SB 113, SB 141, SB 163.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2301** from Committee on Pensions and Benefits and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2014, HB 2164, HB 2261 reported correctly engrossed February 20, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 25, 2013.

Journal of the House

TWENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 25, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Kuether was excused on verified illness.

Reps. Bridges, Peterson, Schwab and Siegfried were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
We first want to thank you today for watching over
each and every one of us – and our citizens of Kansas
over the last few days of winter storms.
Extreme weather is such a clear reminder
that we are not in control
as much as we may sometime think.
We may go out and “prepare” for the storms—
stocking up on groceries, adjusting schedules, and everything else,
but the underlying fact of all this activity,
is that we are not in control.
You are in charge of that which You have created.
That being said, once again I come to You and ask
that you keep everyone safe this week—
that people will have food to eat, a warm place to stay,
and that the essential emergency personnel
will be safe from any danger and harm.
Our state desperately needs the moisture
and this is apparently how You plan to provide it,
so please watch over us and keep us safe.
And, although it may inconvenience the schedules of all of us,
help us to remember...
we are not in control.
In Christ’s Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Trimmer.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2378, AN ACT concerning sales taxation; relating to exemptions; certain machinery and equipment used in surface mining activities; amending K.S.A. 2012 Supp. 79-3606 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: **SB 1, SB 2.**

Commerce, Labor and Economic Development: **SB 73, SB 74.**

Education: **SB 22, SB 23, SB 104.**

Energy and Environment: **SB 62.**

Federal and State Affairs: **SB 141.**

Financial Institutions: **SB 113.**

Insurance: **SB 85, SB 163.**

Taxation: **SB 83, SB 84.**

Transportation: **SB 96.**

Veterans, Military and Homeland Security: **SB 27.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2157** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2301** from Committee on Appropriations and rereferral to Committee on Pensions and Benefits.

Also, the withdrawal of **HB 2336** from Committee on Judiciary and referral to Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 56, SB 111.**

Also, announcing adoption of **SCR 1608.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 56, SB 111; SCR 1608.

CONSENT CALENDAR

No objection was made to **HB 2176, HB 2259** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2169** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2014, AN ACT concerning inheritance rights; relating to revocation upon divorce, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Kinzer, Kuether, Peterson, Schwab, Siegfried.

The bill passed, as amended.

HB 2164, AN ACT concerning jurors; relating to information disqualifying juror from jury service, was considered on final action.

On roll call, the vote was: Yeas 75; Nays 45; Present but not voting: 0; Absent or not voting: 5.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Seiwert, Shultz, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bollier, Burroughs, Campbell, Carlin, Clayton, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Frownfelter, Grant, Henderson, Henry, Hineman, Houston, Jennings, Lane, Lusk, Meier, Menghini, Moxley, Perry, Phillips, Rooker, Ruiz, Sawyer, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bridges, Kuether, Peterson, Schwab, Siegfried.

The bill passed, as amended.

HB 2261, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2012 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 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Kuether, Peterson, Schwab, Siegfried.

The bill passed, as amended.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2167** be passed.

Committee report to **HB 2077** be adopted; and the bill be passed as amended.

Committee report to **HB 2078** be adopted; and the bill be passed as amended.

Committee report to **HB 2138** be adopted; and the bill be passed as amended.

Committee report to **HB 2177** be adopted; also, on motion of Rep. Schwartz be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2012 Supp. 8-2,127 is hereby amended to read as follows: 8-2,127. Vehicles that are exempt from this act include:

(a) Farm vehicles, defined as follows:

(1) Registered as a farm truck or truck tractor under K.S.A. 8-143, and amendments thereto;

(2) used to transport either agricultural products, farm machinery, farm supplies, or both, to or from a farm;

(3) not used in the operations of a common motor carrier; and

(4) used either:

(A) In intrastate commerce; or

(B) in interstate commerce within 150 air miles of any farm or farms owned or leased by the registered owner of such farm vehicle;

(b) vehicles operated by firefighters and other persons which are necessary to the

preservation of life or property or the execution of emergency governmental functions, are equipped with audible and visual signals and are not subject to normal traffic regulation. These vehicles include fire trucks, hook and ladder trucks, foam or water transport trucks, police SWAT team vehicles, ambulances or other vehicles that are used in response to emergencies;

(c) military vehicles which are operated by military personnel in pursuit of military purposes and all noncivilian operators of equipment owned or operated by the United States department of defense. This applies to any active duty military personnel and members of the reserves and national guard on active duty, including personnel on full-time national guard duty, personnel on part-time training and national guard military technicians, civilians who are required to wear military uniforms and are subject to the code of military justice; and

(d) motor vehicles, which would otherwise be considered commercial motor vehicles, if such vehicles are used solely and exclusively for private noncommercial use and any operator of such vehicles.";

On page 4, in line 37, after "Supp." by inserting "8-2,127,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "Supp." by inserting "8-2,127," and **HB 2177** be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2051** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2207** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2272** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2326** be amended on page 1, in line 17, by striking "section" and inserting "47 U.S.C. §§"; in line 18, by striking all after "252"; by striking all in lines 19 through 24; in line 25, by striking "(3)" and inserting ", as in effect on the effective date of this act. For the purposes of this paragraph, the term "state commission" used in 47 U.S.C. §§ 251 and 252 shall mean the state corporation commission established pursuant to K.S.A. 74-601, and amendments thereto;

(3) the authority of the state of Kansas or a political subdivision thereof to manage the use of public rights of way pursuant to K.S.A. 17-1902, and amendments thereto; or (4)";

Also on page 1, in line 33, by striking "28-137" and inserting "28-137b"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2319** be amended on page 1, in line 27, by striking "of education";

On page 2, in line 42, by striking "the provisions of K.S.A. 75-2315 et"; in line 43, by striking "seq., and amendments thereto" and inserting "all laws governing the issuance of general obligation bonds by school districts";

On page 3, in line 23, after "education" by inserting "of a school district"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2349** be amended on page 1, in line 5, after "legislative" by inserting "division of"; also in line 5, by striking "committee"; in line 6, after "audits" by inserting "at the direction of the legislative post audit committee"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2139** be amended on page 1, in line 30, by striking "state general fund" and inserting "unclaimed property claims fund established in K.S.A. 58-3956, and amendments thereto"; in line 34, after "thereto." by inserting "Any programming costs, including technical and functional analysis, incurred by the department of administration to implement the provisions of this subsection shall be preformed and expended within the current resources of the department. No additional funding shall be requested or appropriated for such programming costs."; and the bill be passed as amended.

Committee on **General Government Budget** recommends **HB 2146, HB 2150** be passed.

Committee on **Health and Human Services** recommends **HB 2025** be amended on page 1, in line 7, after "the" by inserting "Robert G. (Bob) Bethell";

On page 2, in line 6, after "plans," by inserting "KanCare provider network data and appeals and grievances made to the KanCare ombudsman,"; in line 9, by striking "of representatives" and inserting "committee on health and human services"; in line 10, by striking "of representatives" and inserting "committee on health and human services"; in line 12, before "appointed" by inserting "committee on public health and welfare"; in line 13, before "appointed" by inserting "committee on public health and welfare"; in line 39, by striking "The joint committee shall meet at least"; by striking all in line 40 and inserting "On and after the effective date of this act, the joint committee shall meet at least three times when the legislature is in regular session and at least once during each of the second, third and fourth calendar quarters, on the call of the chairperson."; in line 43, by striking "and" and inserting a comma;

On page 3, in line 1, after "representatives" by inserting ", the house committee on health and human services and the senate committee on public health and welfare"; in line 6, by striking "of aging" and inserting "for aging and disability services"; in line 9, by striking "department on"; by striking all in line 10 and inserting "Kansas department for aging and disability services."; in line 22, after "procedures" by inserting ", including quantitative case data and summaries of case resolution by the KanCare ombudsman"; in line 29, by striking "and"; in line 33, after "2013" by inserting ";

(G) comparison of caseload information for individuals receiving state medicaid services prior to January 1, 2013, to the caseload information for individuals receiving state medicaid services under the KanCare program after January 1, 2013; and

(H) all written testimony provided to the joint committee regarding the impact of the provision of state medicaid services under the KanCare program upon residents of adult care homes";

Also on page 3, following line 38, by inserting:

"(4) The report submitted under this subsection shall be published on the official website of the legislative research department.

(f) Members of the committee shall have access to any medical assistance report and caseload data generated by the Kansas department of health and environment division of health care finance. Members of the committee shall have access to any report submitted by the Kansas department of health and environment division of health

care finance to the centers of medicare and medicaid services of the United States department of health and human services.";

And by relettering subsections accordingly;

On page 4, in line 3, after "may" by inserting "make recommendations and"; also in line 3, by striking "such"; in line 8, by striking "of aging" and inserting "for aging and disability services"; in line 13, by striking "of aging" and inserting "for aging and disability services"; in line 15, by striking "of aging" and inserting "for aging and disability services"; in line 21, by striking "department on aging" and inserting "Kansas department for aging and disability services"; in line 22, by striking "of aging" and inserting "for aging and disability services"; in line 25, before "joint" by inserting "Robert G. (Bob) Bethell";

On page 1, in the title, in line 1, by striking "creating the joint committee on" and inserting "establishing the Robert G. (Bob) Bethell joint committee on home and community based services and"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2339** 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 2126** be amended on page 1, in line 30, before "(d)" by inserting "or"; in line 32, by striking all after "causes"; by striking all in lines 33 through 35; in line 36, by striking all before the period;

On page 2, in line 23, by striking the fourth comma and inserting "; (a)"; in line 28, after "other" by inserting "; 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, 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"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2012** be amended on page 1, in line 24, by striking "subsection (h), all exceptions to"; in line 25, by striking "disclosure in existence on July 1, 2000, shall expire on July 1, 2005, and" and inserting "subsections (g) and (h)";

On page 2, in line 24, after "system" by inserting ";

(3) has been reviewed and continued in existence twice by the legislature; or

(4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter";

On page 3, in line 16, after "(i)" by inserting "(1)"; by striking all in lines 18 through 20; in line 21, by striking "2009" and inserting "and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g)"; also in line 21, by striking "until July 1, 2015, at which time"; in line 22, by striking "such exceptions shall expire"; in line 24, by striking "17-2036,"; in line 30, by striking "40-5301,"; in line 31, by striking ", (a)(45) and (a)(46)"; in line 34, by striking "60-3351,"; in line 41, by striking "72-972a,";

On page 4, in line 1, by striking "74-99d05,"; in line 2, by striking the last "75-"; in line 3, by striking "53,105,"; following line 5, by inserting:

"(2) Exceptions contained in the following statutes as certified by the revisor of

statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2009 are hereby continued in existence until July 1, 2015, at which time such exceptions shall expire: 17-2036, 40-5301, subsections (a)(45) and (a)(46) of 45-221, 60-3351, 72-972a, 74-99d05 and 75-53,105.";

Also on page 4, in line 6, after "(j)" by inserting "(1)"; by striking all in lines 8 through 10; in line 11, by striking "2010," and inserting "and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g)"; also in line 11, by striking "until July 1, 2016, at which time"; in line 12, by striking "such exceptions shall expire"; also in line 12, by striking "12-5358, 12-5611,"; in line 13, by striking "22-4906, 22-4909, 38-2310, 38-2311, 38-2326,"; also in line 13, by striking "44-1132, 60-3333,"; in line 14, by striking ", 65-6154, 71-218," and inserting "and"; also in line 14, by striking ", 75-457,"; in line 15, by striking "75-712c, 75-723 and 75-7c06"; following line 15, by inserting:

"(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2010 are hereby continued in existence until July 1, 2016, at which time such exceptions shall expire: 12-5358, 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 44-1132, 60-3333, 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.";

Also on page 4, in line 33, after "2012" by inserting "and which have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g)"; in line 34, by striking "until July 1, 2018, at which time such exceptions"; in line 35, by striking "shall expire"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2352** be passed.

REPORT OF STANDING COMMITTEE

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

Request No. 31, by Representative Alford, congratulating Oscar and Pearl Rector on their 79th wedding anniversary;

Request No. 32, by Representative Seiwert, congratulating Dwight D. Eisenhower Middle School for receiving the Governor's Achievement Award for 2011-2012;

Request No. 33, by Representative O'Brien, congratulating Kayla A. Gore on achieving the Girl Scout Gold Award;

Request No. 34, by Representative O'Brien, congratulating Nus L. Haley on achieving the Girl Scout Gold Award;

Request No. 35, by Representative O'Brien, congratulating Emily R. Jardes on achieving the Girl Scout Gold Award;

Request No. 36, by Representative O'Brien, congratulating Brianna L. Spence on achieving the Girl Scout Gold Award;

Request No. 37, by Representative O'Brien, congratulating Anna G. Salvatorelli on achieving the Girl Scout Gold Award;

Request No. 38, by Representative O'Brien, congratulating Allison S. Thompson on achieving the Girl Scout Gold Award;

Request No. 39, by Representative O'Brien, congratulating Logan Brown for receiving the 2013 Prudential Spirit of Community Award;

Request No. 40, by Representative Mast, congratulating Eric Ray MacGregor on achieving the rank of Eagle Scout;

Request No. 41, by Representatives Henderson and Winn, congratulating the Kansas East Jurisdiction Church of God in Christ on their 36th Annual Ministries Operations and Building Fund Banquet on February 23, 2013;

Request No. 42, by Representative Carpenter, congratulating Mary K. Connell on celebrating her 95th birthday;

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. Vickrey, the committee report was adopted

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Ballard to replace Rep. Bridges on Committee on Education for February 25. Rep. Bridges will return to the committee on February 26.

Also, the appointment of Rep. Burroughs to replace Rep. Kuether on Committee on Judiciary for February 25. Rep. Kuether will return to the committee on February 26.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 26, 2013.

Journal of the House

THIRTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 26, 2013, 1:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Ruiz and Siegfried were excused on verified illness.

Reps. Bridges, Henderson, Kinzer and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Yahweh, God,
We come to You today seeking Your guidance
and leadership for our leaders.
It has been said that leadership is influence –
it is not so much about a position as it is about influence.
Help each of these leaders to examine themselves to be sure
they are more concerned about influencing the right decisions,
rather than about protecting their position.
It has also been said that leaders seek wise counsel.
Proverbs 15:22 warns us,
“refuse good advice and watch your plans fail;
take good counsel and watch your plans succeed.”
Being a leader does not mean we have all the answers.
To make the right decisions, we must choose to
seek advice and help from others with more experience.
More importantly, however, we must seek Your advice and help.
So, today, encourage our leaders to first seek You and Your righteousness.
and then, share with them Your knowledge and wisdom.
In Your Son’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Swanson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2379, AN ACT concerning gold and silver bullion coins; recognizing as legal tender; income tax, modifications; sales taxation, exemptions; amending K.S.A. 2012

Supp. 79-32,117 and 79-3606 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **SB 56**.

Federal and State Affairs: **SB 111**.

Judiciary: **SCR 1608**.

Taxation: **HB 2378**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2336** from Committee on Appropriations and rereferral to Committee on Judiciary.

CONSENT CALENDAR

No objection was made to **HB 2339** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2176**, **HB 2259** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2169** 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 2169, AN ACT concerning criminal procedure; relating to final disposition of pending charge proceedings; amending K.S.A. 22-4301, 22-4303 and 22-4304 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed.

Sub HB 2051, AN ACT concerning water; relating to streams, dams and obstructions; relating to water rights; relating to water flex accounts; amending K.S.A. 82a-307 and K.S.A. 2012 Supp. 82a-301, 82a-302, 82a-303b, 82a-326, 82a-736 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 24-105, 24-107, 82a-312, 82a-313 and 82a-314 and K.S.A. 2012 Supp. 24-106, 74-509, 82a-307a, 82a-326a and 82a-735, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 2; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Burroughs, Frownfelter.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The substitute bill passed.

HB 2077, AN ACT concerning licensing bodies; relating to licensure and military service members; amending K.S.A. 2012 Supp. 48-3406 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed, as amended.

HB 2078, AN ACT concerning certain licensing boards; relating to licensure and military service members; amending K.S.A. 2012 Supp. 65-1116 and 65-6129 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed, as amended.

HB 2138, AN ACT repealing K.S.A. 55-103, 55-104, 55-105, 55-106, 55-107, 55-108, 55-109, 55-301, 55-302, 55-303, 55-304, 55-305, 55-306, 55-307, 55-308, 55-309 and 55-310; concerning oil and gas, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed, as amended.

HB 2167, AN ACT designating native American legislative day at the capitol; amending K.S.A. 35-205 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed.

HB 2177, AN ACT relating to motor carriers; concerning safety rules and regulations; certificates of convenience and necessity; transportation of certain materials; amending K.S.A. 66-1,129b and K.S.A. 2012 Supp. 8-2,127, 66-1,114b and 66-1,129 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The bill passed, as amended.

Sub HB 2207, AN ACT concerning public health; relating to confined feeding facilities; registration; amending K.S.A. 2012 Supp. 65-171d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bridges, Henderson, Kinzer, Peterson, Ruiz, Siegfried.

The substitute bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Phillips in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Phillips, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2181**, **HB 2151**, **HB 2118** be passed.

Committee report to **HB 2050** be adopted; and the bill be passed as amended.

Committee report to **HB 2049** be adopted; and the bill be passed as amended.

Committee report to **HB 2209** be adopted; and the bill be passed as amended.

Committee report to **HB 2153** be adopted; also, on motion of Rep. Hill, be amended on page 2, in line 7, by striking "(1)(A)"; and the bill be passed as amended.

Committee report to **HB 2075** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HCR 5013** be adopted.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2024** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2024," as follows:

"Substitute for HOUSE BILL NO. 2024

By Committee on Commerce, Labor and Economic Development "AN ACT enacting the Kansas roofing contractor registration act."; and the substitute bill be passed.

(**Sub HB 2024** was thereupon introduced and read by title.)

Committee on **Commerce, Labor and Economic Development** recommends **HB 2105** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2105," as follows:

"Substitute for HOUSE BILL NO. 2105

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning the employment security law; amending K.S.A. 44-702 and K.S.A. 2012 Supp. 44-703, 44-704, 44-705, 44-706, 44-709, 44-710, 44-710a, 44-719, 74-5602 and 75-5702 and repealing the existing section; also repealing K.S.A. 2012 Supp. 44-704c."; and the substitute bill be passed.

(Sub **HB 2105** was thereupon introduced and read by title.)

Committee on **Commerce, Labor and Economic Development** recommends **HB 2179** be amended on page 1, in line 31, before "There" by inserting "Whenever the secretary determines under K.S.A. 44-322a, and amendments thereto, that an employee has a valid claim for unpaid wages and determines that the amount of the claim is less than \$10,000, the secretary, upon the written request of the employee, may take an assignment of the claim in trust for such employee and shall take action appropriate to enforce or defend such claim. Whenever the secretary determines under K.S.A. 44-322a, and amendments thereto, that an employee has a valid claim for unpaid wages and determines that the amount of the claim is equal to or greater than \$10,000, the secretary, upon the written request of the employee, may take an assignment of the claim in trust for such employee and if the assignment is taken, shall take action appropriate to enforce or defend such claim. With the written consent of the assignor, the secretary may settle or adjust any claim assigned pursuant to this subsection. Whenever the secretary takes an assignment of a claim in trust for an employee under this section, the secretary shall charge and collect a fee therefor which fee shall be fixed by rules and regulations adopted by the secretary. The fee fixed by rules and regulations shall be in an amount of not more than \$25 per claim assigned under this section.

(c) If the secretary prevails on behalf of the employee, the court shall award a judgment to the agency in an amount equal to the cost of reasonable attorney fees for such action.

(d) "; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2043** be amended on page 1, in line 27, by striking all after "(A)"; by striking all in line 28; in line 29, after "thereto" by inserting ", when great bodily harm to another person or disfigurement of another person results from such act"; in line 31, by striking all following "(B)"; by striking all in line 32; in line 33, by striking all before "committing"; in line 34, following "thereto" by inserting ", when bodily harm to another person results from such act under circumstances whereby great bodily harm, disfigurement or death can result from such act"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2093** be amended on page 1, following line 6, by inserting:

"New Section 1. (a) The conduct prohibited by K.S.A. 2012 Supp. 21-6107, and amendments thereto, constitutes an unconscionable at or practice in violation of K.S.A. 50-627, and amendments thereto, and any person who engages in such conduct shall be subject to the remedies and penalties provided by the Kansas consumer protection act.

(b) For the purposes of the remedies and penalties provided by the Kansas consumer protection act:

(1) The person committing the conduct prohibited by K.S.A. 2012 Supp. 21-6107, and amendments thereto, shall be deemed the supplier, and the person who is the victim of such conduct shall be deemed the consumer; and

(2) proof of a consumer transaction shall not be required.

(c) This section shall be part of and supplemental to the Kansas consumer protection act.";

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 1, by striking "crimes, criminal procedure and punishment" and inserting "unlawful acts"; in line 2, after "theft" by inserting "and identity fraud"; also in line 2, by striking "relating to"; also in line 2, after the second semicolon by inserting "consumer protection;"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2120** be amended on page 1, in line 14, by striking "act" and inserting "section";

On page 2, in line 26, by striking "act" and inserting "section";

On page 3, in line 6, by striking "or"; in line 7, by striking "adjudicated as a juvenile offender"; by striking all in lines 34 through 35;

And by redesignating subsections accordingly;

On page 4, in line 43, by striking "act" and inserting "section";

On page 5, in line 6, by striking "act" and inserting "section"; in line 14, by striking "act" and inserting "section"; in line 25, by striking "act" and inserting "section"; in line 42, by striking all after "(m)"; by striking all in line 43;

On page 6, by striking all in lines 1 and 2; in line 3, by striking all before the period and inserting "A sample, or any evidence based upon or derived from such sample, collected by a law enforcement agency or a juvenile justice agency in substantial compliance with the provisions of this section, shall not be excluded as evidence in any criminal proceeding on the basis that such sample was not validly obtained"; by striking all in lines 9 and 10;

And by redesignating paragraphs accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2252** be amended on page 1, in line 7, after "rape," by inserting "aggravated criminal sodomy,"; in line 16, by striking "the limitation of time provided by the law pertaining to such offense" and inserting "10 years"; in line 20, by striking "ten" and inserting "10"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2296** be passed.

Committee on **Elections** recommends **HB 2129** be amended on page 1, in line 11, by striking "January" and inserting "February"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2210** be amended on page 1, in line 18, by striking "can not" and inserting "cannot"; by striking all in lines 25 through 32 and inserting the following:

"Sec. 2. K.S.A. 25-3301 is hereby amended to read as follows: 25-3301. (a) Each registered voter of this state who has declared a party affiliation as provided in this section or in K.S.A. 25-3304, and amendments thereto, shall be entitled to vote at every partisan primary election.

(b) The county election officer shall prepare for each voting place at each partisan primary election a party affiliation list, duly certified by such officer, which clearly indicates the party affiliation of each registered voter in the voting area who has declared a party affiliation. The registration book prepared for a voting place pursuant

to K.S.A. 25-2318, and amendments thereto, may be used as such list, but no registration book prepared for use at a voting place in an election other than a partisan primary election or an election held at the same time as a partisan primary election shall indicate in any manner the party affiliation of any voter. Such list shall be delivered by the supervising judge to the voting place before the opening of the polls.

(c) The party affiliation list provided for by subsection (b) shall be used to determine the party affiliation of a voter offering to vote at a partisan primary election and of a voter applying for an advance voting ballot pursuant to K.S.A. 25-1122, and amendments thereto. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state the voter's party affiliation in writing on a form prescribed by the secretary of state. A judge at the precinct polling place, or the county election officer or such officer's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person thereupon shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the county election officer, who shall cause them to be recorded on the party affiliation list.

~~(d) No voter shall be allowed to receive the ballot of any political party except that with which such voter is affiliated.~~

(e) Party affiliation statements shall be preserved for five years. The county election officer may dispose of the statements in the manner approved for destruction of ballots as provided in K.S.A. 25-2708, and amendments thereto.

~~(f)~~(e) The county election officer shall update party affiliation lists as provided by rules and regulations of the secretary of state.";

Also on page 1, in line 33, after "K.S.A." by inserting "25-3301 and"; also in line 33, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "K.S.A." by inserting "25-3301 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2314** be amended on page 1, by striking all in lines 18 and 19; in line 31, by striking all after the period; by striking all in line 32;

On page 5, in line 9, by striking "\$15" and inserting "\$5"; and the bill be passed as amended.

Committee on **Energy and Environment** recommends **HB 2305** be passed.

Committee on **Energy and Environment** recommends **HB 2241** be amended on page 1, in line 24, by striking "Any"; by striking all in lines 25 and 26; in line 27, by striking "requirement" and inserting "After calendar year 2020, an affected utility's portfolio requirement shall be based on what such utility's average demand was for the utility to meet the portfolio requirements for calendar year 2020"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2294** be passed.

Committee on **General Government Budget** recommends **HB 2178**, **HB 2354** be passed.

Committee on **General Government Budget** recommends **HB 2200** be amended on page 6, in line 12, by striking all after "officer"; in line 13, by striking all before the period;

On page 22, in line 7, by striking "Kansas register" and inserting "statute book"; and

the bill be passed as amended.

Committee on **General Government Budget** recommends **HB 2216** be amended on page 3, in line 35, by striking all after "than"; in line 36, by striking "senator members" and inserting "one representative member and not less than one senator member";

On page 61, following line 37, by inserting:

"Sec. 36. K.S.A. 2012 Supp. 45-229 is hereby amended to read as follows: 45-229.

(a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

- (1) The public record is of a sensitive or personal nature concerning individuals;
- (2) the public record is necessary for the effective and efficient administration of a governmental program; or
- (3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsection (h), all exceptions to disclosure in existence on July 1, 2000, shall expire on July 1, 2005, and any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception which will expire in the following year which meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law which creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law which creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

- (1) Is required by federal law;
- (2) applies solely to the legislature or to the state court system.

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;
- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program, which administration would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of which information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be exempted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information which is used to protect or further a business advantage over those who do not know or use it, the disclosure of which information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) of this subsection (h) would occur if the records were made public.

(i) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) of this section during 2009 are hereby continued in existence until July 1, 2015, at which time such exceptions shall expire: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2036, 17-2227, 17-5832, 17-7511, 17-7514, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-1664, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 40-5301, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, subsections (a)

(1) through (43), (a)(45) and (a)(46) of 45-221, 46-256, 46-259, ~~46-2201~~, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 60-3351, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-972a, 72-996, 72-4311, 72-4452, 72-5214, 72-53,106, 72-5427, 72-8903, 73-1228, 74-2424, 74-2433f, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 74-99d05, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-53,105, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(j) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) of this section during 2010, are hereby continued in existence until July 1, 2016, at which time such exceptions shall expire: 1-501, 9-1303, 12-4516a, 12-5358, 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 39-970, 44-1132, 60-3333, 65-525, 65-5117, 65-6016, 65-6017, 65-6154, 71-218, 74-7508, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2006, 2007 and 2008 are hereby continued in existence until July 1, 2014, at which time such exceptions shall expire: 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17,150, 12-2001, 12-5332, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, subsections (a)(44), (45), (46) and (47) of 45-221, 56-1a610, 56a-1204, 65-1,243, 65-3239, 66-1233, 74-50,184, 74-8134, 74-99b06 and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2011 are hereby continued in existence until July 1, 2017, at which time such exceptions shall expire: 12-5711, 21-2511, 38-2313, 65-516, 74-8745, 74-8752, 74-8772 and 75-7427.

Sec. 37. K.S.A. 2012 Supp. 75-2264 is hereby amended to read as follows: 75-2264. ~~(a) The Kansas state historical society and the department of administration shall develop plans to place a mural in the capitol honoring the 1st Kansas (Colored) Voluntary Infantry regiment. Such plans shall be developed in consultation with the joint committee on arts and cultural resources.~~

~~(b) On or before January 1, 2002, the plans developed pursuant to subsection (a) shall be submitted to the joint committee on arts and cultural resources.~~

Sec. 38. K.S.A. 2012 Supp. 75-2268 is hereby amended to read as follows: 75-2268. (a) The capitol preservation committee shall develop plans to place a mural in the capitol commemorating the United States supreme court decision entered May 17, 1954, in the case of Brown v. Board of Education (347 U.S. 483, 74 S.Ct. 686, 98 L.Ed.

873). ~~Such plans shall be developed in consultation with the joint committee on arts and cultural resources.~~

(b) Except for the costs associated with the preparation and submission of the plans under subsection (a), no public funds shall be used to pay the costs of creating and installing the mural developed under this section.";

Also on page 61, in line 40, after "7,162," by inserting "45-229,";

On page 62, in line 1, after "74-99c07," by inserting "75-2264, 75-2268,"; in line 4, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "39-7,162," by inserting "45-229,"; in line 8, after "74-99c07," by inserting "75-2264, 75-2268,"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2183** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2183," as follows:

"Substitute for HOUSE BILL NO. 2183

By Committee on Health and Human Services

"AN ACT concerning the designation and control of infectious and contagious diseases; amending K.S.A. 65-116a and 65-128 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 65-129a."; and the substitute bill be passed.

(**Sub HB 2183** was thereupon introduced and read by title.)

Committee on **Insurance** recommends **HB 2312** 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 2107** be amended on page 1, in line 20, by striking "to a party directed to the" and inserting "of the posting, which shall be provided by"; in line 21, after "mail" by inserting "to the"; also in line 21, by striking "of the"; in line 22, by striking "posting" and inserting "or by any other delivery method that has been consented to by the party";

On page 3, following line 25, by inserting:

"(j) Notwithstanding any other provisions of this section, insurance policies and endorsements that do not contain personally identifiable information may be mailed, delivered or posted on the insurer's website. If the insurer elects to post insurance policies and endorsements on its website in lieu of mailing or delivering such policies and endorsements to the insured, such insurer shall comply with all of the following conditions:

(1) The policy and endorsements shall be easily accessible and remain that way for as long as the policy is in force;

(2) after the expiration of the policy, the insurer shall archive its expired policies and endorsements for seven years and make them available upon request;

(3) the policies and endorsements shall be posted in a manner that enables the insured to print and save the policy and endorsements using programs or applications that are widely available on the internet and free to use;

(4) the insurer shall provide notice, at the time of issuance of the initial policy forms and any renewal forms, of a method by which insureds may obtain, upon request and without charge, a paper or electronic copy of their policy or endorsements;

(5) on each declarations page issued to an insured, the insurer shall clearly identify the exact policy and endorsement forms purchased by the insured; and

(6) the insurer shall provide notice of any changes to the forms or endorsements, and of the insured's right to obtain, upon request and without charge, a paper or electronic copy of such forms or endorsements.";

And by redesignating subsections accordingly;

Also on page 3, following line 35, by inserting:

"(l) This section shall not affect any obligation of the insurer to provide notice to any person other than the insured of any notice provided to the insured.";

Also on page 3, in line 38, after "106-229" by inserting ", or the provisions of the uniform electronic transactions act, K.S.A. 16-1601 et seq., and amendments thereto";

Also on page 3, following line 38, by inserting:

"(n) The provisions of this act shall not apply to any mutual insurance company organized pursuant to article 12a of chapter 40 of the Kansas Statutes Annotated, and amendments thereto."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2019** be passed.

Committee on **Judiciary** recommends **HB 2203** be amended on page 3, in line 5, after "any" by inserting "person or"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2204** be amended on page 1, in line 24, by striking "a principal" and inserting "their"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2205** be amended on page 1, in line 12, after "waived" by inserting "by the party entitled to notice"; in line 13, after "waived" by inserting "by the party entitled to notice"; in line 15, after "waived" by inserting "by the party entitled to notice"; in line 17, after "waived" by inserting "by the party entitled to notice"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2249** be passed.

Committee on **Local Government** recommends **HB 2091** be amended on page 1, following line 20, by inserting:

"Sec. 2. K.S.A. 79-2303 is hereby amended to read as follows: 79-2303. ~~(a)~~—The county treasurer shall cause the notice and list prepared under K.S.A. 79-2302, and amendments thereto, to be published in the official county newspaper or in a newspaper of general circulation in the county in accordance with the provisions of K.S.A. 64-101, and amendments thereto. The notice and list shall be submitted to the newspaper on or before August 1 of each year and shall be published once each week for three consecutive weeks immediately prior to the week when the day of sale will occur. The county treasurer also shall cause a copy of the list and notice to be posted in some conspicuous place in the county treasurer's office. The cost of publication of the notice and list shall be paid from the general fund of the county, and a ~~\$15~~\$30 fee for each tract or lot shall be added to the tax due for the tract or lot as part of the costs of collection. The fee shall be collected in the manner provided for the collection of the unpaid taxes.";

And by renumbering sections accordingly;

Also on page 1, in line 21, by striking "is" and inserting "and 79-2303 are";

Also on page 1, in the title, in line 2, after "19-547" by inserting "and 79-2303"; also in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2185** be amended on page 1, in line 6, by striking "New"; in line 12, following the period by inserting "Where a city is located in more than one county, the term means the county which contains the largest

population of the city." in line 16, by striking "New";

On page 2, in line 6, by striking "New"; in line 29, by striking "New";

On page 4, in line 29, by striking "New";

On page 5, in line 25, by striking "New"

On page 7, by striking all in lines 17 through 43;

By striking all on pages 8 and 9;

On page 10, by striking all in lines 1 through 12;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the last semicolon; by striking all in line 2; in line 3, by striking all before the period and inserting "of political and taxing subdivisions"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2311** be passed.

Committee on **Transportation** recommends **HB 2147**, **HB 2357** 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 **Transportation** recommends **HB 2133** be amended on page 2, in line 38, by striking "in the hologram security feature"; also in line 38, by striking "back side"; in line 39, by striking "of the"; also in line 39, after "license" by inserting "at a location to be determined by the secretary of revenue"; in line 41, after "discharge" by inserting "or general discharge under honorable conditions, "; also in line 41, after "form" by inserting "or equivalent";

On page 3, in line 4, by striking "served" and inserting "was honorably discharged or received a general discharge";

On page 5, in line 7, by striking "in the hologram security feature"; in line 8, by striking "back side of the"; also in line 8, after "card" by inserting "at a location to be determined by the secretary of revenue"; in line 11, after "discharge" by inserting "or general discharge under honorable conditions, "; also in line 11, after "form" by inserting "or equivalent"; in line 17, by striking "served" and inserting "was honorably discharged or received a general discharge"; in line 36, after "after" by inserting "July 1, 2014, and"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2234** be amended on page 2, in line 10, by striking all following "(c)"; by striking all in lines 11 through 16; in line 17, by striking "(d)"; in line 18, before "vice-chairperson" by inserting "chairperson of the authority and another as"; in line 20, before "vice-chairperson," by inserting "chairperson, "; in line 26, by striking "(e)" and inserting "(d)";

On page 3, in line 3, by striking " , under the"; in line 4, by striking all before the period; in line 8, after "the" by inserting "temporary"; in line 10, after "secretary" by inserting " , and the secretary to the authority, "; also in line 10, by striking "contract" and inserting "contracts"; in line 41, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking all following "authority, "; in line 2, by striking all before "relating"; in line 4, by striking "revenue" and inserting "transportation"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2318** be amended on page 1, in line 31, by striking "light of any color" and inserting "only white, amber or red light without glare"; and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2212**

be passed.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2307** from Committee on Federal and State Affairs and referral to Committee on Education.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Ballard to replace Rep. Bridges on Committee on Education for February 26.

Also, the appointment of Rep. Tietze to replace Rep. Bridges on Committee on Judiciary for February 26.

Rep. Bridges will resume her position on these committees on February 27.

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

EVENING SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2380, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; postretirement benefit payments; amending K.S.A. 2012 Supp. 74-4920 and repealing the existing section, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2101** from Committee on Energy and Environment and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2229** from Committee on General Government Budget and referral to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2363** be amended on page 2, in line 5, by striking "In areas of the state not"; by striking all in line 6; in line 7, by striking "secondary uses" and inserting "Where the average potential net evaporation is less than 18 inches per year as determined by the chief engineer, the chief engineer shall issue a single term permit for the life of the project, not to exceed 80 years, for such secondary uses"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2086** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2027** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2027," as follows:

"Substitute for HOUSE BILL NO. 2027

By Committee on Commerce, Labor and Economic Development
 "AN ACT concerning negotiation of working conditions, including labor relations, for certain professional employees; amending K.S.A. 72-5415, 72-5416, 72-5417, 72-5418, 72-5419, 72-5420, 72-5421, 72-5423, 72-5424, 72-5426, 72-5430 and 72-8246 and K.S.A. 2012 Supp. 72-5413 and repealing the existing sections; also repealing K.S.A. 72-5428a."; and the substitute bill be passed.

(Sub HB 2027 was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2070** be amended on page 2, in line 14, by striking ": (1) The person"; by striking all in line 15; in line 16, by striking "(2)";

On page 3, in line 10, by striking ","; by striking all in lines 11 through 18; in line 19, by striking all before the period and inserting ". 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"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2217** be amended on page 1, in line 20, after the second "physician" by inserting "who has a documented referral from another physician not legally or financially affiliated with the physician performing such procedure"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2222** be amended on page 1, in line 9, by striking the last "or" and inserting a comma; in line 10, after the first "member" by inserting "or parent"; also in line 10, after the second "student" by inserting ", staff member or parent"; following line 30, by inserting:

"(3) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.";

And by renumbering paragraphs accordingly;

On page 2, in line 2, by striking "or" and inserting a comma; also in line 2, after "member" by inserting "or parent"; in line 3, after the second "student" by inserting ", staff member or parent"; in line 6, by striking "or" and inserting a comma; also in line 6, after "member" by inserting "or parent"; in line 7, after the second "student" by inserting ", staff member or parent"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2033, HB 2193** be passed.

Committee on **Federal and State Affairs** recommends **HB 2052** be amended on page 1, in line 11, after "supervised" by inserting "or private"; in line 13, by striking "if approved" and inserting "unless prohibited"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2343** be passed.

Committee on **Judiciary** recommends **SB 8** be amended on page 1, in line 8, by striking "nominations" and inserting "appointments"; in line 9, by striking "seven" and inserting "nine"; in line 10, by striking "Two" and inserting "Four"; also in line 10, after "members" by inserting ", one member from each congressional district,"; in line 11, after "member" by inserting "from the first congressional district"; in line 13, after "member" by inserting "from the fourth congressional district"; in line 14, after "member" by inserting "from the third congressional district"; in line 16, after "member" by inserting "from the second congressional district"; in line 18, after "association" by inserting "who shall serve as chairperson of the commission"; by striking all in lines 23 through 25; in line 26, by striking "(d)" and inserting "(c)";

On page 2, in line 3, by striking "(e)" and inserting "(d); in line 26, by striking "qualifications" and inserting "appointments";

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

Committee on **Transportation and Public Safety Budget** recommends **HB 2303** be amended on page 1, by striking all in lines 7 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 35;

On page 5, in line 16, by striking "\$250" and inserting "\$200"; also in line 16, by striking "\$500" and inserting "\$400"; in line 17, by striking "\$750" and inserting "\$600"; also in line 17, by striking "\$1,000" and inserting "\$800"; in line 23, by striking "\$800" and inserting "\$600"; also in line 23, by striking "\$1,200" and inserting "\$900"; in line 24, by striking "\$1,500" and inserting "\$1,200"; also in line 24, by striking "\$2,000" and inserting "\$1,500"; in line 34, by striking "50%" and inserting "35%"; in line 38, by striking "10%" and inserting "25%";

On page 6, by striking all in lines 14 through 43;

On page 7, by striking all in lines 1 through 14; in line 37, by striking "8-240,"; also in line 37, by striking ", 8-267";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "driver's;" in line 2, by striking "license" and inserting "examination"; also in line 2, by striking "equipment"; in line 3, by striking "8-240,"; also in line 3, by striking ",8-267" and the bill be passed as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2309** be amended on page 2, in line 39, after ""VETERAN"" by inserting "displayed"; also in line 39, by striking "face of the"; also in line 39, after "license" by inserting "at a location to be determined by the secretary of revenue"; in line 41, after "discharge" by inserting "or general discharge under honorable conditions,"; in line 42, after "form" by inserting "or equivalent";

On page 3, in line 5, by striking "served with an honorable discharge" and inserting "was honorably discharged or received a general discharge under honorable conditions";

On page 5, in line 9, after ""VETERAN"" by inserting "displayed"; also in line 9, by striking "the face of"; in line 10, after "card" by inserting "at a location to be determined by the secretary of revenue"; in line 12, after "discharge" by inserting "or general discharge under honorable conditions"; also in line 12, after "form" by inserting "or equivalent"; in line 18, by striking "with an" and inserting "under"; also in line 18, by striking "discharge" and inserting "conditions or received a general discharge under honorable conditions";

On page 8, in line 28, after "after" by inserting "July 1, 2014, and"; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2077, HB 2078, HB 2138, HB 2177 reported correctly engrossed February 25, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6009 reported correctly enrolled and properly signed on February 26, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, February 27, 2013.

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 27, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Siegfried was excused on verified illness.

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

Prayer by guest chaplain, the Rev. Dan DeWitt, pastor, First Baptist Church, Caney, and guest of Rep. Peck:

Heavenly Father,

I come before you today on behalf of those who have been elected to carry on the business of governing the state of Kansas. They have difficult decisions to make as they consider the many issues and concerns they must address today.

You have said in the Bible that if we need wisdom, that we should come to you in prayer and ask. That is what I'm doing today. I ask that you give these servants wisdom. Lord, even if some of the servants who have gathered here do not profess faith in you, I ask that you would use them to help accomplish your will today.

I ask this in the name of your Son and my Lord and Savior, Jesus Christ. Amen!

The Pledge of Allegiance was led by Rep. Edmonds.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Pensions and Benefits: **HB 2380**.

Taxation: **HB 2379**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **Sub HB 2027** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2101** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

Also, the withdrawal of **HB 2258** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

CONSENT CALENDAR

No objection was made to **HB 2147, HB 2312, HB 2357** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2339** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2176, HB 2259** 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 2176, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Eisenhower foundation license plate, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Boldra, Esau, Garber, Grosserode, Hawkins, Hildabrand, Kinzer, McPherson, Schroeder, Schwartz, Todd.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed.

HB 2259, AN ACT concerning domestic relations; relating to dissolution of marriage; service of process; amending K.S.A. 2012 Supp. 23-2704 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed.

HB 2049, AN ACT concerning the Kansas department of agriculture; relating to program fees; increasing certain fees; eliminating sunsets on various program fees; exempting certain dairies from fees; amending K.S.A. 2012 Supp. 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-708a, 82a-708b, 82a-708c, 82a-714, 82a-727, 83-302 and 83-402 and repealing the existing sections, 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlin, Carpenter, Cassidy, Christmann, Clayton, Concannon, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Frownfelter, Goico, Gonzalez, Grant, Hedke, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Howell, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Perry, Phillips, Proehl, Read, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, Wolfe Moore.

Nays: Alcala, Bridges, Burroughs, Campbell, Carlson, Claeys, Corbet, Davis, Dillmore, Esau, Finney, Gandhi, Garber, Grosserode, Hawkins, Henderson, Henry, Hildabrand, Houser, Houston, Huebert, Hutton, Jones, Kahrs, Kelley, Kinzer, Macheers, Mast, McPherson, Menghini, Pauls, Peck, Petty, Powell, Rhoades, Rubin, Ruiz, Sawyer, Sloop, Suellentrop, Todd, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed, as amended.

HB 2050, AN ACT concerning agriculture; relating to agricultural chemicals, registration; pesticide businesses, liability insurance; amending K.S.A. 2-2448 and K.S.A. 2012 Supp. 2-2204 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 20; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford,

Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, Kelley, Kelly, Kleeb, Lane, Lunn, Lusk, Mast, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: DeGraaf, Dillmore, Esau, Garber, Grosserode, Hildabrand, Howell, Jones, Kahrs, Kinzer, Kuether, Macheers, McPherson, Menghini, Peck, Powell, Rubin, Sutton, Todd, Winn.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed, as amended.

HB 2075, AN ACT concerning cities; relating to the qualifications and rehabilitation of abandoned property; amending K.S.A. 2012 Supp. 12-1750 and 12-1756a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 51; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Barker, Bideau, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Cassidy, Clayton, Davis, Dierks, Dillmore, Doll, Dove, Ewy, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Henry, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Huebert, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Meier, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Perry, Phillips, Proehl, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schwartz, Seiwert, Sloan, Sloop, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Becker, Boldra, Bradford, Brunk, Couture-Lovelady, Carlson, Carpenter, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Edmonds, Edwards, Esau, Gandhi, Garber, Grosserode, Hawkins, Hedke, Henderson, Highland, Hildabrand, Houser, Howell, Hutton, Jones, Kahrs, Kelley, Kinzer, Lusk, Macheers, Mast, McPherson, Meigs, Peck, Petty, Powell, Read, Rhoades, Rooker, Rothlisberg, Rubin, Schroeder, Schwab, Shultz, Suellentrop, Sutton, Todd, Winn.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed, as amended.

HB 2118, AN ACT concerning historic preservation; relating to environs review; amending K.S.A. 2012 Supp. 75-2724 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 24; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-

Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Wolfe Moore.

Nays: Alcala, Ballard, Becker, Bridges, Burroughs, Carlin, Crum, Davis, Dillmore, Grant, Henderson, Henry, Hill, Kuether, Lane, Meier, Pauls, Ruiz, Sloop, Tietze, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2118**. **HB 2118** proposes to eliminate the environs review entirely. Environs Review has been the law for some 25 years. Review occurs by the State Historic Preservation Office or by a certified local government which issues a recommendation regarding the impact to properties listed on the state and national historic registers of work within their environs.

Environs reviews can:

- Protect historic properties by ensuring that changes to the immediate environment around the property are compatible with the context.
- Protect the existing investment a property owner and a community have already made in designated historic properties, through private and public dollars. – JOHN ALCALA

HB 2151, AN ACT repealing K.S.A. 2012 Supp. 76-381b; concerning medically underserved areas, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe

Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed.

HB 2153, AN ACT concerning the utilization of unused medications act; relating to donating entities, unused medications; authority and rules and regulations of the state board of pharmacy; repealing the cancer drug repository program; amending K.S.A. 2012 Supp. 65-1636, 65-1669, 65-1670, 65-1671 and 65-1674 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 65-1664, 65-1665, 65-1666 and 65-1667, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed, as amended.

HB 2181, AN ACT concerning licensing bodies; relating to licensure and military service members; relating to certain distance education courses, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls,

Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed.

HB 2209, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2012 Supp. 22-4902, 22-4904, 22-4905, 22-4906 and 22-4907 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried.

The bill passed, as amended.

On motion of Rep. Vickrey, 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 2144**, **HB 2146**, **HB 2150**, **HB 2115** be passed.

HB 2139 be passed over and retain a place on the calendar (see further action, Afternoon Session).

Committee report to **HB 2269** be adopted; and the bill be passed as amended.

Committee report to **HB 2349** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2255** be amended on page 1, in line 6, by striking "2013, all" and inserting "2015, the"; in line 14, after "(b)" by inserting "(1)"; following line 25, by inserting:

"(2) (A) For claims received on or after July 1, 2015, until December 31, 2016, one-half of the amount of the rebate shall be paid.

(B) For claims received on or after January 1, 2017, and in all subsequent calendar years, the full amount of the rebate shall be paid within 365 consecutive days after the date upon which the claim for rebate was received by the director."; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2298, HB 2353** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2278** be amended on page 2, in line 5, by striking "person" and inserting "nonperson"; in line 37, by striking "person" and inserting "nonperson";

On page 3, in line 28, by striking "person" and inserting "nonperson"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2368** be amended on page 2, in line 5, by striking "two members" and inserting "one member"; also in line 5, after "be" by inserting "an"; also in line 5, by striking "directors" and inserting "director"; also in line 5, after "of" by inserting "a"; in line 6, by striking "centers" and inserting "center"; in line 7, after "(F)" by inserting "one member shall be a judge of the district court or a district magistrate judge;

(G)";

Also on page 2, in line 13, by striking "child" and inserting "youth at least 16 years of age but not more than 18 years of age at the time of appointment"; in line 19, by striking all following "(c)"; in line 20, by striking "shall expire on"; in line 23, by striking "July 1, 2013. Thereafter," and inserting "A member of the council prior to the effective date of this act whose term expires after June 30, 2013, shall continue to serve as a member of the council until the expiration of the term of the member. Except as otherwise provided in this subsection and in subsection (d),"; in line 24, after "governor" by inserting "on and after July 1, 2013,"; in line 25, after "years." by inserting "Of the nine new members authorized by this act, four shall be appointed for an initial term of two years and five shall be appointed for an initial term of four years as specified by the governor.";

Also on page 2, following line 37, by inserting:

"(g) Whenever the governor's mental health services planning council, or words of like effect, are referred to in a statute, contract or other document, such reference or designation shall be deemed to apply to the governor's behavioral health services planning council."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2074** be amended on page 1, in line 10, after "area" by inserting "or require another city or county to adopt new solid waste management requirements not currently required by statewide rules and regulations"; by striking all in lines 14 and 15; in line 16, by striking "such restrictions";

And by redesignating paragraphs 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 bill was introduced and read by title:

HB 2381, AN ACT concerning election campaign finance; relating to contributions to political committees during legislative sessions; amending K.S.A. 2012 Supp. 25-4153a and repealing the existing section, by Committee on Appropriations.

On motion of Rep. Vickrey, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

On motion of Rep. Vickrey, 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 2163**, **HB 2218**, **HB 2221**, **HB 2007**, **HB 2352** be passed.

Committee report to **HB 2302** be adopted; and the bill be passed as amended.

Committee report to **HB 2139** be adopted; also, on motion of Rep. DeGraaf, be amended on page 1, in line 30, by striking "unclaimed property claims fund established in"; in line 31, by striking "K.S.A. 58-3956, and amendments thereto" and inserting "state general fund"; and the bill be passed as amended.

Committee report to **HB 2322** be adopted; and the bill be passed as amended.

Committee report to **HB 2172** be adopted; and the bill be passed as amended.

Committee report to **HB 2128** be adopted; also, on motion of Rep. Howell to amend the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2012** be adopted; and the bill be passed as amended.

Committee report to **HB 2099** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2017** be adopted; and the substitute bill be passed.

Committee report to **HB 2112** be adopted; also, on motion of Rep. Ward to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2162** be adopted; also, on motion of Rep. Howell, be amended on page 2, in line 33, by striking "Kansas register" and inserting "statute book";

Also, on motion of Rep. Alcalá to amend **HB 2162**, Rep. Schwab requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2232** be amended on page 1, following line 9, by inserting:

"(b) The state board of education shall coordinate with each unified school district in order to provide liability insurance in accordance with subsection (a) by the state of Kansas in a cost effective and efficient manner.";

And relettering the remaining subsection accordingly; and the bill be passed as amended.

Committee on **Education** recommends **HB 2280** be amended on page 1, in line 7, by striking "the week starting September 15, 2013, and"; in line 15, by striking "2014" and inserting "2013"; in line 17, by striking "civil" and inserting "history and"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2199** be amended on page 1, in line 4, by striking "11" and inserting "10"; in line 7, by striking "11" and inserting "10";

On page 2, in line 10, by striking "11" and inserting "10"; in line 25, by striking "owned or"; also in line 25, after "privately" by inserting "and owned"; in line 31, by striking "owned or"; in line 32, after "manufactured" by inserting "commercially or privately and owned"; in line 33, by striking all after "parts"; in line 34, by striking "product applications"; in line 36, after "manufactured" by inserting "and owned";

On page 3, in line 6, by striking "11" and inserting "10"; in line 13, by striking ", nor any"; in line 14, by striking all before the comma and inserting "or any political subdivision thereof"; in line 17, by striking "owned or"; also in line 17, after "privately" by inserting "and owned"; in line 24, by striking "owned or"; also in line 24, after "privately" by inserting "and owned"; in line 27, by striking "11" and inserting "10"; by striking all in lines 33 through 37; in line 38, by striking "11" and inserting "10"; in line 39, by striking "owned or"; in line 40, after the third comma by inserting "owned"; in line 42, by striking "10" and inserting "9";

And by renumbering sections accordingly;

On page 4, in line 2, by striking "10" and inserting "9"; in line 3, by striking "10" and inserting "9"; and the bill be passed as amended.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2021** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2166** from Committee on Judiciary and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2049, HB 2050, HB 2075, HB 2153, HB 2209 reported correctly engrossed February 26, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, February 28, 2013.

Journal of the House

THIRTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 28, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.
Rep. Siegfried was excused on verified illness.

Prayer by guest chaplain, the Rev. Tracy Roby, pastor, Overland Park Baptist Church, and guest of Rep. Macheers:

Father, thank you for your presence today, and we praise you for the wisdom you promised to bestow on those who ask. May you grant that wisdom for every discussion and decision that takes place in this session? We come before you in humility as servants ready to follow your will and desires. Fill these men and women with a knowledge that comes only from you. I thank you for these public servants who are willing to invest their time and service for the people of Kansas. Father, bless them according to their efforts. We thank you for your patience, mercy, and grace in dealing with our shortcomings. We pray that in everything that is done today you will receive the glory, honor, and praise that you deserve. In your holy and precious name we bring these requests before you, Amen.

The Pledge of Allegiance was led by Rep. Sloop.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Elections: **HB 2381**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **Sub HB 2027** from Committee on Appropriations and rereferral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2166** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2258** from Committee on Appropriations and rereferral

to Committee on Commerce, Labor and Economic Development.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Schwab, **HR 6016**, A resolution honoring the life of Jim Weaver, was adopted.

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

I am humbled and honored today to honor the wonderful life and creation of Jim Weaver. His wife Josie is here with me, and are his children James Weaver Jr. (his fiancé Jamie Williamson), Anita Woods (daughter), His grandchildren, Dominique Weaver, Sentia Woods, Dar'el Weaver, and A'nitra Weaver.

I thought over the last week of trying to make a joke about how a door man and a sergeant at arms met St. Peter at the gate of Heaven, but I just could not come up with anything.

Jim guarded the North door by the Majority Leader's office faithfully for years. Early and often late, Jim was there, and as we walked by, he faithfully asked us by name how we were doing.

Often his wife and he would have fellow legislators over their house for dinner. There he would showcase his wonderful trophy garden. Many of you may of heard Dillons grocery selling Georgia Sweet Potatoes.

Jim would let you know that "Them's Jim's potatoes."

One day, shortly before my own father passed of prostate cancer, our House chaplain Eunice, Jim and I were visiting. She then looked over at Jim and made a frowned face. I asked what was the matter. He said the cancer was back.

But then he just nodded and said, "It's alright, it's alright, I'll be fine." And even when in severe pain, he stood his post, right there.

Mrs. Weaver, we just wanted to take a moment to thank you for sharing some of Jim's life with us. We want you to know we love him, and we too miss him dearly. This resolution is a meager attempt to show the deep gratitude for the treasure you shared in Jim Weaver in this chamber. Thank you, thank you, thank you. Jim, you are missed. God Speed.

CONSENT CALENDAR

No objection was made to **HB 2147**, **HB 2312**, **HB 2357** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2339** 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 2339, AN ACT concerning insurance; relating to adverse underwriting decisions; allowing return of premiums separate from notice; amending K.S.A. 40-2,112 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2007, AN ACT concerning insurance holding companies; amending K.S.A. 40-3302, 40-3304, 40-3305, 40-3306, 40-3307, 40-3308, 40-3309, 40-3311 and 40-3311a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 20; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Christmann, DeGraaf, Edmonds, Edwards, Esau, Garber, Grosserode, Hildabrand, Houser, Howell, Jones, Kahrs, Kelley, Kinzer, Macheers, McPherson, Montgomery, J. Powell, Rubin, Sutton.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2012, AN ACT concerning public records; relating to legislative review of exceptions to disclosure; amending K.S.A. 2012 Supp. 45-229 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

Sub HB 2017, AN ACT concerning criminal procedure; relating to appeals from municipal court; amending K.S.A. 12-4601 and K.S.A. 2012 Supp. 22-3609 and 22-3609a 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: McPherson, Todd.

Present but not voting: None.

Absent or not voting: Siegfried.

The substitute bill passed.

HB 2099, AN ACT concerning insurance; pertaining to updating of certain statutory references; amending K.S.A. 39-719e, 40-1612 and 40-19a10 and K.S.A. 2012 Supp. 40-19c09 and repealing the existing sections; also repealing K.S.A. 40-254, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2112, AN ACT concerning certain public officers and employees; relating to the use of unexpended campaign funds; amending K.S.A. 25-4142 and K.S.A. 2012 Supp. 25-4143 and 25-4157a 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, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Victors, Ward, Waymaster, Weber.

Nays: Alcala, Ballard, Bridges, Burroughs, Campbell, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lusk, Meier, Pauls, Peterson, Petty, Ruiz, Sloop, Tietze, Trimmer, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Speaker: I had some great donors help get me elected. Many of those same people also donated to the Senator in my district. If I were to run against my Senator in four years, then under this bill I could use money given to win a seat in the House to run for a Senate seat. Just because someone supported me and gave me money to win my House seat doesn't mean they would support me for the Senate. I believe donations should be used for the office it was intended for, which is why I voted 'no' on **HB 2112**.

— REID PETTY

HB 2115, AN ACT concerning judges and justices; relating to the employment of retirants; amending K.S.A. 20-2622 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2128, AN ACT concerning the open records act, exceptions; amending K.S.A. 2012 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls,

Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2139, AN ACT concerning state finance; relating to canceled warrants; amending K.S.A. 10-811, 46-913, 46-924 and 58-3974 and repealing the existing sections; also repealing K.S.A. 10-812, 10-815 and 10-816 and K.S.A. 2012 Supp. 46-921, 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Wolfe Moore.

Nays: Alcalá, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Lane, Menghini, Pauls, Ruiz, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2144, AN ACT concerning children and minors; relating to the repeal of outdated provisions concerning juveniles; amending K.S.A. 2012 Supp. 45-229 and repealing the existing section; also repealing K.S.A. 2012 Supp. 38-1604, 38-1608 and 38-1664, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs,

Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2146, AN ACT concerning pharmacists and pharmacies; relating to the cancer drug repository program; amending K.S.A. 2012 Supp. 65-1636 and repealing the existing section; also repealing K.S.A. 2012 Supp. 65-1664, 65-1665, 65-1666 and 65-1667, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffmann, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2150, AN ACT repealing K.S.A. 74-32,152, 74-32,153, 74-32,154, 74-32,155, 74-32,156, 74-32,157, 74-32,158 and 74-32,159 and K.S.A. 2012 Supp. 74-32,151 and 74-32,160; concerning the workforce development loan program act, 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, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke,

Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Wilson.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2162, AN ACT concerning the secretary of state, relating to ballot language statements, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Dillmore, Kuether, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2163, AN ACT concerning civil procedure; relating to garnishment proceedings; amending K.S.A. 2012 Supp. 60-736 and 61-3509 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2172, AN ACT concerning cemetery corporations; amending K.S.A. 2012 Supp. 16-320, 16-321, 16-329, 17-1301c, 17-1311, 17-1312 and 17-1312a 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2218, AN ACT concerning driving under the influence of alcohol or drugs; relating to tests; implied consent; administrative hearings; amending K.S.A. 8-1567a and K.S.A. 2012 Supp. 8-1001 and 8-1020 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis,

DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

HB 2221, AN ACT concerning professional negotiations; establishing the equal access act; amending K.S.A. 2012 Supp. 72-5413 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 53; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Barker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Hawkins, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2221** allows school boards to grant education organizations the ability to send educator specific information to teacher e-mail inboxes and mailboxes. This bill also allows equal access for all professional employees' associations to attend new teacher and or employee school orientations and other meetings that would increase the new teacher's knowledge base.

Access of information and resources available to our teachers will give them other

viewpoints not only for the classroom but to also plan and protect their future through teacher's choice. For that reason I vote Yes on **HB 2221**. – WILLIE DOVE, VIRGIL PECK, JR., KEVIN JONES, JIM HOWELL, PETE DEGRAAF

HB 2269, AN ACT designating a portion of Kansas highway 92 as the John Bower memorial highway; amending K.S.A. 2012 Supp. 68-1060 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Esau, Garber, Grosserode, Hawkins, Hildabrand, Howell, McPherson, Montgomery, J. Powell, Todd.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2302, AN ACT concerning the Kansas department of health and environment; relating to drug screening, criminal history record check and fingerprinting of certain persons and employees; amending K.S.A. 2012 Supp. 75-4362 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple,

Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2322, AN ACT concerning the department of health and environment; relating to the division of health; amending K.S.A. 65-102, 65-118, 65-153 and 75-5621 and K.S.A. 2012 Supp. 65-2402, 65-2422d, 75-5601, 75-5603 and 75-5664 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-7411 and 75-7412, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carlin, Davis, Dillmore, Houston, Menghini, Ward.

Present but not voting: None.

Absent or not voting: Siegfried.

The bill passed, as amended.

HB 2349, AN ACT concerning legislative post audit committee; auditing unified school districts, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer,

Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore, Edmonds, Lane, Ward.

Present but not voting: None.

Absent or not voting: Siegfroid.

The bill passed, as amended.

HB 2352, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; maximum retirement benefits; employee contributions; amending K.S.A. 74-4958, 74-4958a and 74-4965 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfroid.

The bill passed.

On motion of Rep. Vickrey, 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 **HB 2305**, **HB 2212**, **HB 2294**, **HB 2311** be passed.

HB 2241, **HB 2309**, **HB 2133** be passed over and retain a place on the calendar.

Committee report to **HB 2363** be adopted; and the bill be passed as amended.

On motion to recommend **HB 2178** favorably for passage, the motion did not prevail.

Committee report to **HB 2200** be adopted; and the bill be passed as amended.

Committee report to **HB 2216** be adopted; also, on motion of Rep. Ward, be amended on page 4, by striking all in lines 23 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 41;

On page 65, in line 42, by striking "46-2801,";

And by renumbering sections accordingly;
 On page 1, in the title, in line 4, by striking "46-2801,"; and **HB 2216** be passed as amended.

Committee report to **HB 2318** be adopted; and the bill be passed as amended.

Committee report to **HB 2044** be adopted; 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 thereupon introduced and read by title:

HB 2382, AN ACT concerning taxation; relating to tax liens upon personal property; amending K.S.A. 2012 Supp. 79-3235 and 79-3617 and repealing the existing sections, by Committee on Taxation.

HB 2383, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; investment standards; prohibited investments, Iran; divestment therefrom, conditions and procedures; indemnification and hold harmless provisions, by Committee on Taxation.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

On motion of Rep. Vickrey, 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 **HB 2272**, **HB 2343** be passed.

HB 2106, **HB 2126**, **HB 2107**, **HB 2095**, **HB 2129**, **HB 2222** be passed over and retain a place on the calendar.

Committee report to **HB 2241** be adopted; also, on motion of Rep. Swanson, be referred to Committee on Utilities and Telecommunications.

On motion to recommend **HB 2019** for passage, roll call was demanded.

On roll call, the vote was: Yeas 68; Nays 54; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, J. Powell, Read,

Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Cassidy, Clayton, Concannon, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Frownfelter, Grant, Hawkins, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Davis, Peterson, Siegfried.

The motion prevailed, and **HB 2019** be passed.

Committee report to **HB 2203** be adopted; also, on motion of Rep. McPherson to amend, the motion was withdrawn. Also, on further motion of Rep. McPherson to amend, the motion did not prevail, and the bill be passed as amended.

Committee report to **HB 2204** be adopted; and the bill be passed as amended.

Committee report to **HB 2205** be adopted; and the bill be passed as amended.

Committee report to **HB 2069** be adopted; and the bill be passed as amended.

Committee report to **HB 2083** be adopted; and the bill be passed as amended.

Committee report to **HB 2326** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2024** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2105** be adopted; also, on motion of Rep. Frownfelter to amend, the motion did not prevail. Also, on further motion of Rep. Frownfelter to amend, the motion did not prevail. Also, on further motion of Rep. Frownfelter to amend, the motion did not prevail; and **Sub HB 2105** be passed.

Committee report to **HB 2179** be adopted; also, on motion of Rep. Winn to amend, Rep. Powell 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. Winn to amend **HB 2179** on page 2, following line 28, by inserting:

"New Sec. 2. (a) Every employer shall pay to each employee no less than:

(1) The minimum wage of \$7.25 in effect January 1, 2013 pursuant to subsection (a) of K.S.A. 44-1203, and amendments thereto, as calculated pursuant to subsection (b) of K.S.A. 44-1203, and amendments thereto, and as cumulatively increased on January 1, 2014 and on January 1 of each successive year as provided by this section; or

(2) a minimum or prevailing wage rate otherwise required by state or federal law, if higher.

(b) The minimum wage required to be paid shall be increased cumulatively on January 1, 2014 and on January 1 of successive years by the increase in the cost of living. On or before September 30, 2013, and on or before September 30 of each successive year, the secretary of labor shall measure the increase in the cost of living by the percentage increase as of July of that year over the level as of July of the immediately preceding year of the consumer price index for all urban consumers, U.S. city average for all items (CPI-U), or its successor index as published by the United States department of labor or its successor agency, with the amount of the minimum wage increase rounded to the nearest five cents.

(c) The secretary of labor shall promptly publish the determination of an increase in the minimum wage as measured by the increase in the cost of living, if any, on the website of the department of labor, in the Kansas register, and in such other manner, in the discretion of the secretary, as will provide timely and adequate notice to employers of the increase in the minimum wage, if any, required January 1 of the immediately following year pursuant to this section.

(d) This section shall be a part of and supplemental to the minimum wage and maximum hours law.

Sec. 3. K.S.A. 2012 Supp. 44-1203 is hereby amended to read as follows: 44-1203. (a) Except as otherwise provided in the minimum wage and maximum hours law, every employer shall pay to each employee wages at a rate as follows:

(1) Prior to January 1, 2010, employee wages shall be paid at a rate of not less than \$2.65 an hour; ~~and~~

(2) on and after January 1, 2010, employee wages shall be paid at a rate of not less than \$7.25 an hour; and

(3) on and after January 1, 2014, the rate as increased cumulatively pursuant to the provisions of section 2, and amendments thereto.

(b) In calculating such minimum wage rate, an employer may include tips and gratuities received by an employee if such tips and gratuities have customarily constituted part of the remuneration of the employee and if the employee concerned actually received and retained such tips and gratuities. For employees receiving tips and gratuities, the employer shall pay a minimum wage of at least \$2.13 an hour. If when combined with the minimum wage rate prescribed in this subsection the amount of the employee's tips and gratuities are:

(1) At least equal to ~~\$7.25~~ an the minimum wage as determined pursuant to subsection (a) per hour, no further payment is required by the employer; or

(2) less than ~~\$7.25~~ an the minimum wage as determined pursuant to subsection (a) per hour, the employer must pay the employee the difference between ~~\$7.25~~ an the minimum wage as determined pursuant to subsection (a) per hour and the actual hourly amount received by the employee determined by combining the amount of tips and gratuities received by the employee with the minimum wage prescribed by this subsection paid by the employer.

(c) The provisions of this section shall not apply to any employers and employees who are covered under the provisions of the federal fair labor standards act (~~29 U.S.C.A. § 201 et seq.~~), ~~and any other acts amendatory thereof or supplemental thereto.~~";

And by renumbering sections accordingly;

Also on page 2, in line 29, by striking "is" and inserting "and 44-1203 are";

On page 1, in the title, in line 1, by striking "the secretary of"; also in line 1, after "labor" by inserting "and employment"; in line 2, before "amending" by inserting "minimum wage; indexing to the consumer price increase;"; also in line 2, after "and" by inserting "44-1203 and"; in line 3, by striking "section" and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 39; Nays 82; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Hermanson, Hill, Houston,

Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Bruchman, Peterson, Schwab, Siegfried.

The motion of Rep. Winn did not prevail; and **HB 2179** be passed as amended.

Committee report to **HB 2084** be adopted; also, on motion of Rep. Wilson to amend, Rep. Hutton requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane, and the bill be passed as amended.

Committee report to **HB 2070** be adopted; and the bill be passed as amended.

Committee report to **HB 2217** be adopted; also, on motion of Rep. Todd, be amended on page 1, in line 20, by striking "who has a"; by striking all in line 21; in line 22, by striking "affiliated with the physician performing such procedure"; and the bill be passed as amended.

Committee report to **HB 2303** be adopted; and the bill be passed as amended.

Committee report to **HB 2170** be adopted; also, on motion of Rep. Kinzer be amended on page 4, in line 32, after "(2)" by inserting "(A)"; also in line 32, after "new" by inserting "nonperson"; following line 40, by inserting:

"(B) When a new person felony is committed 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 consecutively pursuant to the provisions of K.S.A. 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.";

On page 5, in line 21, after "(5)" by inserting "(A)"; also in line 21, after "new" by inserting "nonperson"; following line 32, by inserting:

"(B) When a new person 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 shall be imposed consecutively pursuant to the provisions of K.S.A. 2012 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.";

On page 11, in line 39, by striking "subsection (c)"; also in line 39, before the period by inserting "subsections (c), (d) and (e)";

On page 12, in line 15, following following the stricken material by inserting "Any person who is convicted and sentenced for a person felony committed while on

probation, assigned to a community correctional services program, on parole, on conditional release or on postrelease supervision for a felony shall serve the sentence consecutively to the term or terms under which the person was on probation, assigned to a community correctional services program or on parole or conditional release.

(d) Any person who is convicted and sentenced for a person felony committed while on release for a felony pursuant to article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, shall serve the sentence consecutively to the term or terms under which the person was released.";

Also on page 12, in line 16, before "(1)" by inserting "(e)"

On page 21, in line 2, following "(5)" by inserting "(A)"; also in line 2, following "new" by inserting "nonperson"; in line 4, following "imposed" by inserting "either concurrently or consecutively"; also in line 4, by striking "sentencing"; in line 5, by striking "requirements" and inserting "provisions"; following line 9 by inserting:

"(B) When a new person felony is committed 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 consecutively pursuant to the provisions of K.S.A. 2012 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."; and **HB 2170** be passed as amended.

Committee report to **HB 2043** be adopted; and the bill be passed as amended.

Committee report to **HB 2093** be adopted; also, on motion of Rep. Finney to amend, the motion was withdrawn.

Also, on further motion of Rep. Finney be amended on page 1, in line 21, following "act" by inserting "and shall be known and may be cited as the Wayne Owen law"; and **HB 2093** be passed as amended.

Committee report to **HB 2120** be adopted; and the bill be passed as amended.

Committee report to **HB 2252** be adopted; and the bill be passed as amended.

Committee report to **HB 2185** be adopted; also, on motion of Rep. Wolfe Moore to amend, the motion did not prevail; and the bill be passed as amended.

On motion of Sloan to amend **HB 2249**, Rep. Alcalá requested a ruling on the amendment being germane to the bill. The Rules Vice-Chair ruled the amendment germane.

The question reverted back to the motion of Rep. Sloan and **HB 2249** be amended on page 1, following line 16, by inserting:

"Sec. 2. K.S.A. 19-3631 is hereby amended to read as follows: 19-3631. (a) Territory which is a part of a fire district having territory in more than one county as permitted and organized in accordance with the provisions of K.S.A. 19-3624 to 19-3630 et seq., and amendments thereto, may be detached ~~therefrom~~ as herein provided. Upon presentation Shall be presented of a petition to the governing body of the fire district, setting forth the boundaries of an area within the district which desires to be detached from the fire district, signed by not less than 51% of the qualified electors of such area, as determined by an enumeration taken and verified for such purpose by the county election officer of the county in which the territory proposed to be detached is located; In addition, written documentation from another fire district that such territory will be included in such fire district if the detachment petition is granted and

presentation or documentation that such qualified electors plan to form a new fire district shall be presented. The governing body of such fire district may, ~~at its next regular meeting within 30 days of the presentation of the petition and other documentation,~~ if it finds the petition ~~is regular to be sufficient~~ with at least the requisite number of signatures, enter an order detaching ~~such the~~ territory from the fire district, ~~such the~~ order to be effective on ~~the first~~ January 1 ~~of the succeeding year that is six or more months after the date of the order.~~ Thereupon, the governing ~~board~~ body shall declare the new boundaries of the ~~benefit fire~~ district by resolution and shall certify a copy of such resolution to the county clerks of each of the counties in which a part of the ~~benefit fire~~ district is located.

(b) If the governing body of such fire district does not approve the detachment of the territory within 30 days of the presentation of the petition, the board of county commissioners of each county in which any of the territory is located, if it finds the petition is sufficient with at least the requisite number of signatures, shall submit the issue to a vote of the electors of the territory desired to be detached. The board of county commissioners shall, within 30 days of the governing body's failure or refusal to detach the territory, adopt a resolution calling for an election to be held within 60 days or within 90 days if a regular election is already scheduled. If a regular election is not already scheduled, the election may be held by mail ballot election pursuant to K.S.A. 25-421 et seq., and amendments thereto. The resolution calling for the election shall be published once each week for three consecutive weeks in the official county newspaper. If a majority of the electors of the territory proposed to be detached vote in favor of the detachment, the board of county commissioners of each county in which any such territory is located shall adopt a resolution ordering such detachment of the territory within its county, the order to be effective on the first January 1 that is six or more months after the election. Thereupon, the board of county commissioners shall certify a copy of the resolution to the governing body of the fire district, if different than the board of county commissioners, and to the county clerks of each of the counties in which a part of the fire district is located.

(c) The territory detached from the fire district shall be liable for its proportionate share of all outstanding indebtedness of the district on the date the resolution is passed by the governing ~~board~~ body detaching the territory. The governing body of the fire district shall determine all outstanding indebtedness, including lease-purchase agreements, within 90 days of the detachment of the territory. Subsequent budgets of the fire district shall separately itemize payments of such outstanding indebtedness, including lease-purchase agreements, and such payment shall be separately levied between the detached territory and the territory remaining in the fire district according to their respective assessed valuations.;

And by renumbering sections accordingly;

Also on page 1, in line 17, after "K.S.A." by inserting "19-3631 and K.S.A."; also in line 17, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "city annexation of"; also in line 1, by striking "district lands and taxation" and inserting "districts"; in line 2, following "amending" by inserting "K.S.A. 19-3631 and"; also in line 2, by striking "section" and inserting "sections"; and **HB 2249** be passed as amended.

Committee report to **HB 2025** be adopted; also, on motion of Rep. Crum, be amended on page 5, in line 26, by striking "Kansas register" and inserting "statute

book"; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2183** be adopted; also, on motion of Rep. Bollier, be amended on page 2, in line 33, after "service" by inserting ", or individuals who receive any such services"; and the substitute bill be passed as amended.

Roll call was demanded on motion of Rep. Peck to amend **HB 2109** on page 1, 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 subsection (b)(4)"; in line 25, by striking "the number obtained under (b)(2)" and inserting "such difference"; in line 26, after "under" by inserting "subsection"; in line 27, by striking "number obtained under (b)(2)" and inserting "difference obtained under subsection (b)(4)"; in line 28, after "under" by inserting "subsection"; also in line 28, by striking "number obtained under"; in line 29, by striking "(b)(2)" and inserting "difference obtained under subsection (b)(4)"; also in line 29, after "under" by inserting "subsection";

On roll call, the vote was: Yeas 31; Nays 91; Present but not voting: 0; Absent or not voting: 3.

Yeas: Becker, Bollier, Brunk, Couture-Lovelady, Campbell, Carpenter, Clayton, Doll, Edmonds, Esau, Grosserode, Hawkins, Hildabrand, Houser, Jones, Kahrs, Kelley, Kinzer, McPherson, Meigs, Peck, Perry, J. Powell, Rhoades, Rooker, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Shultz, Thimesch.

Nays: Alcala, Alford, Ballard, Barker, Bideau, Boldra, Bradford, Bridges, Bruchman, Burroughs, Carlin, Carlson, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Petty, Phillips, Proehl, Read, Rothlisberg, Rubin, Ruiz, Sawyer, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried, Sutton.

The motion of Rep. Peck did not prevail; and **HB 2109** be passed.

Committee report to **HB 2210** be adopted; also, on motion of Rep. Sawyer 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 60; Nays 62; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Howell, Huebert, Hutton, Johnson, Kahrs, Kelley, Kinzer, Kleeb, Lunn,

Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, J. Powell, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Thimesch, Todd, Vickrey, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bideau, Boldra, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Frownfelter, Gandhi, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houser, Houston, Jennings, Jones, Kelly, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Read, Rooker, Ruiz, Ryckman Sr., Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried, Sutton.

The motion to recommend **HB 2210** favorably for passage did not prevail.

Committee report to **HB 2314** be adopted; also, on motion of Rep. Schwab be amended on page 1, in line 14, by striking "\$500" and inserting "\$250"; in line 27, by striking "\$500" and inserting "\$250";

Also, roll call was demanded on motion to recommend **HB 2314** favorably for passage.

On roll call, the vote was: Yeas 4; Nays 118; Present but not voting: 0; Absent or not voting: 3.

Yeas: Kahrs, Kinzer, Rhoades, Sawyer.

Nays: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Peterson, Siegfried, Sutton.

The motion to recommend **HB 2314** favorably for passage did not prevail.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2182** be amended on page 2, following line 20, by inserting:

"(4) After a grand jury is summoned pursuant to this subsection, but before it begins deliberations, the judge or judges of the district court of the county in which the petition is presented shall provide instructions to the grand jury regarding its conduct and deliberations, which instructions shall include, but not be limited to, the following:

(A) You have been impaneled as a grand jury pursuant to a citizens' petition filed in this court, signed by (insert number) qualified electors of this county, stating (insert the

subject matter described in the petition, including a reasonably specific identification of the areas to be inquired into and the allegations sufficient to warrant a finding that the grand jury's inquiry may lead to information which, if true, would warrant a true bill of indictment.) You are charged with making inquiry with regard to this subject matter and determining whether the facts support allegations warranting a true bill of indictment.

(B) The person filing the citizens' petition filed in this court must be the first witness you call for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.

(C) You may, with the approval of the court, employ special counsel and investigators, and incur such other expense for services and supplies as you and this court deem necessary. Any special counsel or investigator you employ shall be selected by a majority vote of your grand jury. You may make such selection only after hearing testimony from the person who filed the citizens' petition. You may utilize the services of any special counsel or investigator you employ instead of, or in addition to, the services of the prosecuting attorney.

(D) If any witness duly summoned to appear and testify before you fails or refuses to obey, compulsory process will be issued by this court to enforce the witness' attendance.

(E) If any witness appearing before you refuses to testify or to answer any questions asked in the course of the witness' examination, you shall communicate that fact to this court in writing, together with a statement regarding the question the witness refuses to answer. This court will determine and inform you of whether the witness is bound to answer or not. However, no witness appearing before you can be compelled to make any statement which will incriminate such witness.

(F) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.

(G) At the conclusion of your inquiry and determination, you will return either a no bill of indictment or a true bill of indictment.";

On page 4, by striking all in lines 33 through 43;

On page 5, by striking all in line 1 and inserting:

"(7) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.";

Also on page 5, by striking all in lines 20 through 43;

On page 6, by striking all in lines 1 through 17; following line 17, by inserting:

"New Sec. 6. (a) Upon a majority vote of the grand jury, the grand jury may seek the removal of the assigned judge pursuant to K.S.A. 20-311d, and amendments thereto.

(b) This section shall be part of and supplemental to article 30 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto."; 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 2384, AN ACT concerning state employees; relating to classified and unclassified service; amending K.S.A. 39-752, 74-2015, 75-5310, 75-5605, 75-5607 and 75-5611 and K.S.A. 2012 Supp. 75-711, 75-2935, 75-4315a and 75-5121 and repealing the existing sections, by Committee on Appropriations.

HB 2385, AN ACT concerning property taxation; relating to exemptions and classification; bed and breakfast homes; amending K.S.A. 2012 Supp. 79-1439 and repealing the existing section, by Committee on Taxation.

HB 2386, AN ACT concerning income taxation; relating to deductions; certain expenses related to living donor organ donations; amending K.S.A. 2012 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2387, AN ACT concerning crimes, punishment and criminal procedure; relating to felony murder; capital murder; amending K.S.A. 2012 Supp. 21-5402 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2388, AN ACT concerning crimes, punishment and criminal procedure; relating to capital murder; appellate review; amending K.S.A. 2012 Supp. 21-6619 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2389, AN ACT concerning crimes, punishment and criminal procedure; relating to capital murder; notice of intent to seek the death penalty; amending K.S.A. 2012 Supp. 21-6617 and repealing the existing section, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2003** from Committee on Education Budget and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2071** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2094** from Committee on Education and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2095**, **HB 2129** from the Calendar under the heading General Orders and rereferral to Committee on Elections.

REPORT ON ENGROSSED BILLS

HB 2012, **HB 2099**, **HB 2112**, **HB 2128**, **HB 2139**, **HB 2162**, **HB 2172**, **HB 2269**, **HB 2302**, **HB 2322**, **HB 2349** reported correctly engrossed February 27, 2013.

Also, **HB 2044**, **HB 2069**, **HB 2070**, **HB 2083**, **HB 2084**, **HB 2179**, **HB 2200**, **HB 2203**, **HB 2204**, **HB 2205**, **HB 2216**, **HB 2303**, **HB 2318**, **HB 2326**, **HB 2363** reported correctly engrossed February 28, 2013.

On motion of Rep. Vickrey, the House adjourned until 8:30 a.m., Friday, March 1, 2013.

Journal of the House

THIRTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 1, 2013, 8:30 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Siegfried was excused on verified illness.

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

Prayer by the Rev. Lester Zook, pastor, First Mennonite Church, Pretty Prairie, and guest of Rep. Peck:

Lord, we come to you, thanking you for the blessings and opportunities we have experienced over the years as we have looked to you for wisdom and guidance. We need that wisdom today as issues are debated on the floor of this government institution. I pray that these Representatives will desire to make right decisions, decisions that honor you and are truly good for the people of Kansas. May they have an discerning heart in working through the bills before them, that they might distinguish between right and wrong, and choose what is right. Only as they seek insight and understanding from you in the matters before them, can we continue to experience blessings from you hand. So give them a discerning heart. We pray in the name of our Lord and Savior. Amen.

The Pledge of Allegiance was led by Rep. Read.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2384**.

Corrections and Juvenile Justice: **HB 2387, HB 2388, HB 2389**.

Pensions and Benefits: **HB 2383**.

Taxation: **HB 2382, HB 2385, HB 2386**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2003** from Committee on Appropriations and rereferral to Committee on Education Budget.

Also, the withdrawal of **HB 2094** from Committee on Appropriations and rereferral

to Committee on Education.

Also, the withdrawal of **HB 2182** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2241** from Committee on Utilities and Telecommunications and referral to Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for the January 2013 reporting period.

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 **SB 60; Sub SB 70; SB 75, SB 81, SB 100, SB 121, SB 125, SB 128, SB 129, SB 136, SB 139, SB 142, SB 149, SB 164, SB 166, SB 167.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 60; Sub SB 70; SB 75, SB 81, SB 100, SB 121, SB 125, SB 128, SB 129, SB 136, SB 139, SB 142, SB 149, SB 164, SB 166, SB 167.

CONSENT CALENDAR

No objection was made to **HB 2147, HB 2312, HB 2357** 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 2147, AN ACT repealing K.S.A. 68-422b, 68-1129, 68-1601, 68-1602, 68-1603, 68-1604, 68-1605, 68-1606, 68-1607, 68-1608, 68-1609, 68-1610, 68-1611, 68-1612 and 68-1613; relating to roads and bridges, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker,

Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfroid, Wilson.

The bill passed.

HB 2312, AN ACT concerning the Kansas uninsurable health insurance plan act; pertaining to the lifetime limit; amending K.S.A. 2012 Supp. 40-2124 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfroid, Wilson.

The bill passed.

HB 2357, AN ACT designating a portion of United States highway 169 as the 242nd engineer company – KS army national guard – memorial highway, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls,

Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2019, AN ACT concerning the court of appeals; relating to appointment of judges by the governor; amending K.S.A. 20-3006 and 20-3010 and K.S.A. 2012 Supp. 20-3002 and repealing the existing sections; also repealing K.S.A. 20-3004, 20-3005, 20-3007, 20-3008 and 20-3009, was considered on final action.

On roll call, the vote was: Yeas 73; Nays 50; Present but not voting: 0; Absent or not voting: 2.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Grant, Hawkins, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Phillips, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: While we disagree with the premise of **HB 2019**, we vote aye because many of our constituents have asked us to do so.

Our hope is this legislation will not be the beginning of an erosion of the checks and balances system so important to our form of government. We also hope that whoever the sitting Governor may be, that person will not use this legislation to reward friends and supporters but will use it wisely in appointing judges to the Court of Appeals. –
VERN SWANSON RICHARD PROEHL

MR. SPEAKER: Out of a political scandal 57 years ago emerged a method of selecting appellate judges that has served the State of Kansas well.

Kansans can take pride in their judiciary. Nothing has changed to support a new system. The movement for change is being swept along due to a couple of legislative

unpopular decisions. The judiciary should be insulated from changes in the political climate. The Rule of Law should be the bedrock of our society. I vote NO on **HB 2019**.
– STEVEN R. BECKER

MR. SPEAKER: I am voting no on **HB 2019** for two reasons: First and foremost is the fact that we will now have one form of selection for the Appellate Bench and a different selection process for the Supreme Court Bench. Second, I support direct elections as we have in the 18th Judicial District. It has worked out very well in this District.

Ultimately a vote on the Constitutional Amendment for the selection of the Supreme Court Judges using the federal model is preferable as the voting public has the final say.
– DAN HAWKINS

MR. SPEAKER: The only proper way to change judicial selection is with a constitutional amendment, so that the people of Kansas can ultimately decide how their appellate judges should be selected. Our current system brings together members of the public, legal experts and the Governor to ensure the independence of our courtrooms. This system has worked well for nearly 60 years and has yielded the “fifth best legal climate in the country” for business. Our merit based selection system should be maintained to avoid politicizing the process and inviting the influence of money. I vote no on **HB 2019**. – DON HILL

Sub HB 2024, AN ACT enacting the Kansas roofing contractor registration act, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Menghini, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Carlson, Corbet, DeGraaf, Esau, Grosserode, Hildabrand, Houser, Howell, Kinzer, McPherson, Meigs, Moxley, Schwab, Sutton, Todd, Vickrey.

Present but not voting: None.

Absent or not voting: Bruchman, Siegfried, Wilson.

The substitute bill passed.

HB 2025, AN ACT establishing the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight; amending K.S.A. 2012 Supp. 39-7,160 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 39-7,161 and 46-3501, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2043, AN ACT concerning crimes and punishment; relating to aggravated battery; driving under the influence; amending K.S.A. 2012 Supp. 21-5413 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2044, AN ACT concerning crimes and punishment; relating to distribution of controlled substances causing death or great bodily harm, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Boldra, Couture-Lovelady, Concannon, Grosserode, Hildabrand, Houser, McPherson, Meigs, Schwab, Schwartz, Sutton.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2069, AN ACT concerning employer leave policies for employees; declaring certain city ordinances and county resolutions to be against public policy, 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, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Christmann, Davis, Dillmore, Doll, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Meier, Menghini, Pauls, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2070, AN ACT concerning criminal procedure; relating to appearance bonds; surety or agent of surety; amending K.S.A. 22-2803 and 22-2809a and K.S.A. 2012

Supp. 22-2802 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 22-2802c, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Corbet.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2083, AN ACT concerning the public employee relations board; amending K.S.A. 75-4327 and K.S.A. 2012 Supp. 75-4332 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, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Christmann, Davis, Dillmore, Doll, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2084, AN ACT concerning income taxation; relating to credits; community

services contributions; amending K.S.A. 2012 Supp. 79-32,195 and repealing the existing section, 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Alcalá, Lane, Moxley.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2093, AN ACT concerning unlawful acts; relating to identity theft and identity fraud; unlawful acts concerning computers; consumer protection; amending K.S.A. 2012 Supp. 21-5839 and 21-6107 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

Sub HB 2105, AN ACT concerning the employment security law; amending K.S.A. 44-702 and K.S.A. 2012 Supp. 44-703, 44-704, 44-705, 44-706, 44-709, 44-710, 44-710a, 44-710b, 44-714, 44-719, 74-5602 and 75-5702 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 44-704c, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 35; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Davis, Dillmore, Doll, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The substitute bill passed.

HB 2109, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2012 Supp. 72-6448 and repealing the existing section, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Perry, Peterson, Petty, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Campbell, Edmonds, Esau, Grosserode, Hildabrand, Hoffman, Houser, Kelley, Kinzer, McPherson, Meigs, Montgomery, Peck, J. Powell, Rhoades, Schwab, Sutton, Thimesch, Todd.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2120, AN ACT concerning crimes, criminal procedure and punishment; relating to collection and maintenance of DNA evidence; amending K.S.A. 2012 Supp. 21-2511 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Corbet, Rothlisberg.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2170, AN ACT concerning crimes, criminal procedure and punishment; relating to probation and postrelease supervision; relating to sentencing; amending K.S.A. 2012 Supp. 21-6604, 21-6606, 21-6608, 21-6821, 22-3716, 22-3717, 74-9101 and 75-5217 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-6604a and 21-6604b, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 44; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Barker, Becker, Bideau, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Finch, Finney, Gandhi, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Petty, Phillips, Proehl, Read, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Tietze, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Boldra, Bollier, Bridges, Burroughs, Clayton, Concannon, Corbet, Davis, Dillmore, Edmonds, Ewy, Frownfelter, Goico, Grant, Henderson, Henry, Hibbard, Johnson, Kuether, Lane, Lusk, Meigs, Menghini, Peck, Perry, Peterson, J. Powell, Rooker, Rothlisberg, Ruiz, Schwab, Schwartz, Sloop, Swanson, Thimesch, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: The Legislature has a history of proposing grand plans that may make good policy and subsequently failed to fund the necessary programs to ensure the success of those plans. I fear that we will once again neglect our duty to fund the mental health, substance abuse, community corrections, and court services required and that **HB 2170** will become an unfunded mandate on our local tax payers. I vote NO on **HB 2170**. — NILE DILLMORE

MR. SPEAKER: I vote YES on **HB 2170**. While I love prisons (Hutchinson has three) there is no money to build new prisons. This bill does not shorten anyone's prison time, but actually increases post release supervision time for some prisoners. It also allows us to be smarter about who might re-offend.

We need to be smarter about who we put in prison, and smarter on who is strictly supervised. — JAN PAULS

HB 2179, AN ACT concerning the secretary of labor; relating to assignment of wage claims taken by the secretary; amending K.S.A. 2012 Supp. 44-324 and repealing the existing section, 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, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeyes, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Christmann, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

Sub HB 2183, AN ACT concerning the designation and control of infectious and contagious diseases; amending K.S.A. 65-116a and 65-128 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 65-129a, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeyes, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney,

Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Sutton.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The substitute bill passed, as amended.

HB 2185, AN ACT concerning governmental organization; relating to consolidation of political and taxing subdivisions, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Christmann, Dillmore, Doll, Esau.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2200, AN ACT concerning the executive branch chief information technology officer; relating to duties; 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; amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-9303, 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. 2012 Supp. 46-1503, 74-9304, 74- 9306, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204 and 75-7205 and repealing the existing sections, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Kuether, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Schwab, Ward.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2203, AN ACT concerning civil procedure; relating to exercise of religion, 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: Alcala, Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wolfe Moore.

Nays: Ballard, Becker, Bollier, Bridges, Carlin, Doll, Kuether, Lane, Lusk, Rooker, Sloan, Sloop, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Speaker: Religious freedom is a fundamental human right that is guaranteed by the First Amendment's Free Exercise and Establishment clauses and § 7 of the Kansas Constitution Bill of Rights. The First Amendment

encompasses not only the right to believe (or not to believe), but also the right to express and to manifest religious beliefs. Kansas continues to successfully uphold these rights and has no need for this law. I vote “no” on **HB 2203**. – BARBARA BOLLIER, MELISSA ROOKER, TOM SLOAN

HB 2204, AN ACT concerning civil procedure; relating to redemption of real property; amending K.S.A. 2012 Supp. 60-2414 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2205, AN ACT concerning adoption; relating to hearings; time and waiver of notice; amending K.S.A. 59-2133 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple,

Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2212, AN ACT concerning the Kansas commission on veterans affairs; relating to the veterans claims assistance program; relating to the requirements of service grants; amending K.S.A. 2012 Supp. 73-1234 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2216, AN ACT concerning joint committees; repealing certain joint committees; relating to membership on the joint committee on special claims against the state; amending K.S.A. 12-2015, 19-4109, 38-2007, 46-912, 71-212 and 74-4907 and K.S.A. 2012 Supp. 39-7,162, 45-229, 65-1,251, 72-5395, 74-4908, 74-4909, 74-4920, 74-4921, 74-4921c, 74-4937, 74-49,129, 74-5001a, 74-5002s, 74-5049, 74-5097, 74-50,123, 74-50,151, 74-50,216, 74-8004, 74-8135, 74-8136, 74-8204, 74-8310, 74-8317, 74-8405, 74-99c07, 75-2264, 75-2268, 75-7423, 75-7427 and 75-7435 and repealing the existing sections; also repealing K.S.A. 46-1604 and 46-2201 and K.S.A. 2012 Supp. 39-7,160, 39-7,161, 46-1801, 46-3001, 46-3501, 46-3701, 74-49,132, 74-49,133 and 75-7425, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 32; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke,

Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Ballard, Bridges, Burroughs, Campbell, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Perry, Peterson, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2217, AN ACT concerning crimes, criminal procedure and punishment; relating to female genital mutilation, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2249, AN ACT concerning fire districts; amending K.S.A. 19-3631, 2012 Supp. 12-546 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Howell, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lunn, Lusk,

Macheers, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wolfe Moore.

Nays: Alcalá, Burroughs, Davis, Esau, Finney, Frownfelter, Grant, Hawkins, Hedke, Henderson, Hildabrand, Houston, Huebert, Hutton, Kinzer, Lane, Mast, Osterman, Rhoades, Sloop, Suellentrop, Winn.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2252, AN ACT concerning crimes, criminal procedure and punishment; relating to the statute of limitations for rape prosecutions; amending K.S.A. 2012 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2272, AN ACT concerning property tax exemption; relating to industrial revenue bond property tax abatement; amending K.S.A. 2012 Supp. 79-201a 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman,

Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2294, AN ACT concerning the Kansas uniform securities act; amending K.S.A. 17-12a302, 17-12a402 and 17-12a411 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffmann, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2303, AN ACT concerning driving under the influence; relating to examination fees; driving under the influence fund; amending K.S.A. 2012 Supp. 8-241 and 75-5660 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 10; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Burroughs, Carlin, Concannon, Corbet, Frownfelter, Henry, Kuether, Menghini, Moxley, Sutton.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2305, AN ACT concerning the Kansas storage tank act; relating to secondary containment of underground storage tanks; amending K.S.A. 2012 Supp. 65-34,102 and 65-34,103 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2311, AN ACT concerning motor vehicles; relating to registration fees, delinquency of payment; amending K.S.A. 8-1,102 and K.S.A. 2012 Supp. 8-135, 8-135c, 8-143 and 8-198 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 99; Present but not voting: 0; Absent or not voting: 2.

Yeas: Becker, Cassidy, Doll, Finch, Gonzalez, Hawkins, Highland, Hill, Hineman, Houser, Johnson, Kelly, Mast, Perry, Petty, Phillips, Proehl, Rooker, Ryckman Sr., Sloan, Swanson, Vickrey, Weber, Wolfe Moore.

Nays: Alcalá, Alford, Ballard, Barker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Grant, Grosserode, Hedke, Henderson, Henry, Hermanson, Hibbard, Hildabrand, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Peterson, J. Powell, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloop, Suellentrop, Sutton, Thimesch, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill did not pass.

HB 2318, AN ACT concerning motor vehicles; relating to motorcycles; authorizing modulating head lamps and side lamps; amending K.S.A. 8-1801 and 8-1804 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2326, AN ACT concerning certain internet protocol enabled services, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney,

Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

HB 2343, AN ACT concerning public health; relating to the secretary of health and environment; office of laboratory services; amending K.S.A. 65-157, 65-1,109a and 75-5608 and repealing the existing sections; also repealing K.S.A. 75-5607, was considered on final action.

On roll call, the vote was: Yeas 89; Nays 34; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Corbet, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed.

HB 2363, AN ACT concerning water; relating to wastewater regulations; relating to aggregate mining operations; amending K.S.A. 2012 Supp. 82a-734 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis,

DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Siegfried, Wilson.

The bill passed, as amended.

On motion of Rep. Vickrey, 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 on motion of Rep. Jones, pursuant to House Rule 2303, that the Committee of the Whole reconsider its previous action in adoption of the Committee of the Whole report recommending **HB 2210** unfavorably for passage (see HJ, page 315). The motion prevailed.

The question reverted back to the motion to recommend **HB 2210** favorably for passage. The motion prevailed.

HB 2106, HB 2298, HB 2353 be passed.

Committee report to **HB 2107** be adopted; and the bill be passed as amended.

Committee report to **HB 2278** be adopted; and the bill be passed as amended.

Committee report to **HB 2368** be adopted; also, on motion of Rep. Rhoades, be amended on page 3, in line 4, after "thereto" by inserting ", from the administration account of the state general fund appropriated for the Kansas department for aging and disability services"; and the bill be passed as amended.

Committee report to **HB 2074** be adopted; and the bill be passed as amended.

Committee report to **HB 2280** be adopted; also, on motion of Rep. Lusk to amend **HB 2280**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2222** be adopted; and the bill be passed as amended.

Committee report to **HB 2255** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **HB 2210, HB 2106, HB 2107, HB 2278, HB 2298, HB 2368, HB 2353, HB 2074, HB 2280, HB 2222** and **HB 2255** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2210, AN ACT concerning elections; relating to change of party affiliation; when not permissible; amending K.S.A. 25-3301 and 25-3304 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 49; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, J. Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcala, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houser, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

HB 2106, AN ACT concerning insurance on portable electronics; amending K.S.A. 2012 Supp. 40-5607 and repealing the existing section, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Bridges, Dillmore, Esau, Ward.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed.

HB 2107, AN ACT concerning insurance; relating to the transmission of electronic notices and other documents; enacting the electronic notice and document act, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

HB 2278, AN ACT concerning crimes, criminal procedure and punishment; relating to theft, burglary and criminal deprivation; relating to firearms; amending K.S.A. 2012 Supp. 21-5801, 21-5803 and 21-5807 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Finch, Grosserode, Montgomery, Todd.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

HB 2298, AN ACT concerning crimes, criminal procedure and punishment; relating to interference with law enforcement; relating to giving a false alarm; amending K.S.A. 2012 Supp. 21-5904 and 21-6207 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-5904a, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed.

HB 2368, AN ACT concerning social welfare; relating to the governor's mental health services planning council; amending K.S.A. 39-1606 and K.S.A. 2012 Supp. 39-1605 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

HB 2353, AN ACT concerning controlled substances; amending K.S.A. 2012 Supp. 65-4105 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed.

HB 2074, AN ACT concerning cities and counties; relating to certain solid waste disposal areas and restrictions, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 19; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Boldra, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Bideau, Bollier, Bradford, Campbell, Carlin, Christmann, Clayton, Dierks, Edwards, Finch, Hibbard, Hill, Jones, Mast, Moxley, Rooker, Schroeder, Swanson, Todd.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote Aye on **HB 2074**. I support **HB 2074** because it protects the private property rights of privately-owned landfill companies and their ability to do business with other cities and counties outside of the jurisdiction in which they reside. Cities and counties are still free to place restrictions on their own residents, but they should not have the ability to place solid waste disposal restrictions on residents outside their jurisdiction. – KEITH ESAU

HB 2280, AN ACT concerning school districts; establishing celebrate freedom week and related curriculum, was considered on final action.

On roll call, the vote was: Yeas 95; Nays 25; Present but not voting: 1; Absent or not voting: 4.

Yeas: Alford, Ballard, Barker, Becker, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Dillmore, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kinzer, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Todd, Vickrey, Ward, Waymaster, Weber, Whipple.

Nays: Alcala, Bideau, Bollier, Bridges, Cassidy, Davis, Doll, Grant, Henderson, Houston, Johnson, Kelly, Kuether, Lane, Rooker, Ruiz, Sloop, Swanson, Thimesch, Tietze, Trimmer, Victors, Weigel, Winn, Wolfe Moore.

Present but not voting: Clayton.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: "Celebrate Freedom Week," is admirable, but passing down yet another unfunded mandate onto local schools is not. Many schools already "celebrate freedom" on Constitution Day, and throughout the year. We should preserve teachers' freedom to determine how they do this. This Legislature has developed a bad habit of picking when it believes in local control and when it does not.

Further, we have a system in place to develop education curriculum standards. The Legislature should abide by that system. If we are going to debate education, we should talk about properly funding it rather than dictating curriculum standards. We vote no on **HB 2280**. – PAUL DAVIS, ANNIE TIETZE, ED TRIMMER, VALDENIA WINN, JOHN ALCALA

MR. SPEAKER: I believe in the importance of our founding history, and the celebration of the principles of freedom, however it is not the proper role of the legislature to designate curriculum specifics. That responsibility is conferred to the state board of education in Article 6, Section 2A of the Kansas Constitution. The Education Committee has been working to reduce the regulatory burden on our schools, but this

bill adds to that burden. A resolution or proclamation would have been the appropriate vehicle, rather than a mandate from the legislature, therefore I voted no on **HB 2280**. –
MELISSA ROOKER, BARBARA BOLLIER

HB 2222, AN ACT concerning school districts; relating to policies against bullying; amending K.S.A. 2012 Supp. 72-8256 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 1; Absent or not voting: 4.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: Rothlisberg.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.

The bill passed, as amended.

HB 2255, AN ACT concerning economic development; investment in telecommunications machinery and equipment; promoting broadband across Kansas, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Dillmore, Finney, Houston, Sloop, Ward.

Present but not voting: None.

Absent or not voting: Kleeb, Peterson, Siegfried, Wilson.
The bill passed, as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 43, by Representative Kelly, congratulating Coffeyville Field Kindley High School 2013 Class 4-A State Champion two-speaker Debate Squad and Coaches;

Request No. 44, by Representative Peck, congratulating Jeremy Nave and Jessica Wells of Caney Valley High School Debate Team for their 2012 Class 3A-1A two-speaker State Championship;

Request No. 45, by Representative Peck, congratulating Lexi Brey and Alex Vore of Caney Valley High School Debate Team for their 2013 Class 3A-1A two-speaker State Championship;

Request No. 46, by Representative Peck, congratulating Don Burchett on celebrating his 80th birthday;

Request No. 47, by Representative Boldra, congratulating Nicholas Ryan Overbey on achieving the rank of Eagle Scout;

Request No. 48, by Representative Meier, congratulating Elwood Floyd Mock on achieving the rank of Eagle Scout;

Request No. 49, by Representative Meier, congratulating David W. Christie, Jr. on achieving the rank of Eagle Scout;

Request No. 50, by Representative Peck, honoring Dorothy Lewis on celebrating her 102nd birthday on March 3, 2013;

Request No. 51, by Representative Bradford, commending Nathan Butler for being named Junior Citizen of the Year by the Leavenworth-Lansing Area Chamber of Commerce and being a three time state wrestling champion at Leavenworth High School;

Request No. 52, by Representative Waymaster congratulating Lane Mai, Payton Stoppel, Jordan Moubry, Clayton Moubry representing the Russell High School FFA Livestock Judging Team and their advisor, Jed Strnad, for placing first at the Kansas Livestock Judging, fourth at the National Competition for 2012 and receiving an invitation to the international competition in Scotland;

Request No. 53, by Representative Edwards, commending Dean Berg for being a conscientious citizen of Sedgwick County for assisting senior citizens and many churches with snow removal at no charge;

Request No. 54, by Representative Christmann, congratulating Harold and Sylvia Drake on celebrating their 76th wedding anniversary on March 3, 2013;

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. Vickrey, 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 2390, AN ACT concerning public health; relating to the physician assistant licensure act; amending K.S.A. 65-2412, 65-28a02, 65-28a04, 65-28a06, 65-28a07, 65-28a08, 65-28a09 and 65-28a11 and K.S.A. 2012 Supp. 65-28a03, 65-28a05 and 65-28a10 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker pro tem Merrick announced the withdrawal of **HB 2129** from Committee on Elections and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2173** from Committee on Judiciary and referral to Committee on Appropriations.

MESSAGES FROM THE SENATE

Announcing passage of **Sub SB 57; SB 63, SB 64, SB 88, SB 117, SB 118, SB 120, SB 122, SB 124, SB 135, SB 147, SB 168, SB 171, SB 177, SB 187, SB 199.**

Also, announcing adoption of **SCR 1611.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 57; SB 63, SB 64, SB 88, SB 117, SB 118, SB 120, SB 122, SB 124, SB 135, SB 147, SB 168, SB 171, SB 177, SB 187, SB 199.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, **SCR 1611**, A concurrent resolution relating to the adjournment of the senate and house of representatives for a period of time during the 2013 regular session of the legislature, was thereupon introduced and adopted.

REPORT ON ENGROSSED BILLS

HB 2025, HB 2043, HB 2093, HB 2120, HB 2170; Sub HB 2183; HB 2185, HB 2217, HB 2249, HB 2252 reported correctly engrossed March 1, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 6, 2013.

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 6, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Brunk, Hermanson, Highland, Peterson and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Thank You for this beautiful day
and the privilege we have of enjoying it.
Thank You for these leaders who are willing
to give of their time and themselves
to address those issues that affect all Kansans.
Help them to be open to:
being teachable and willing to learn,
not thinking they know it all;
to be ready to act, but not react;
to face and deal with the problems,
not cause more of a problem;
to strive for excellence, but not at the cost of others.
I ask that You guide them today
and grant them divine wisdom
in the name of Your Son, Christ Jesus, I pray, Amen.

The Pledge of Allegiance was led by Rep. Cassidy.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **Sub SB 57; SB 120, SB 147, SB 168.**

Appropriations: **SB 88, SB 117.**

Commerce, Labor and Economic Development: **SB 75, SB 149, SB 187.**

Corrections and Juvenile Justice: **SB 142, SB 167.**

Education: **SB 128, SB 171.**

Elections: **SB 63, SB 64, SB 100, SB 177.**

Federal and State Affairs: **SB 135.**

Financial Institutions: **SB 129, SB 139.**
 Health and Human Services: **HB 2390; SB 121, SB 199.**
 Insurance: **SB 166.**
 Judiciary: **SB 60, SB 81, SB 118, SB 122, SB 124, SB 125.**
 Transportation: **Sub SB 70; SB 164.**
 Veterans, Military and Homeland Security: **SB 136.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2129** from Committee on Appropriations and rereferral to Committee on Elections.

Also, the withdrawal of **HB 2173, HB 2182** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2386** from Committee on Taxation and referral to Committee on Health and Human Services.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2160, HB 2193, HB 2033** be passed.

Committee report to **HB 2195** be adopted; and the bill be passed as amended.

Speaker Merrick announced that, in accordance with House Rule 1507, the following bills have been stricken from the Calendar:

HB 2126, HB 2133, HB 2178, HB 2232, HB 2309, HB 2314.

REPORT ON ENGROSSED BILLS

HB 2074, HB 2107, HB 2210, HB 2222, HB 2255, HB 2278, HB 2280, HB 2368 reported correctly engrossed March 1, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 7, 2013.

Journal of the House

THIRTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 7, 2013, 11:00 a.m.

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

The roll was called with 121 members present.

Rep. Petty was excused on verified illness.

Reps. Edmonds, Peterson and Seiwert were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Larry “Rusty” Hammer, pastor, Faith Baptist Church, Attica, and guest of Rep. Hoffman:

Heavenly Father,

I want to praise you for the opportunity to pray for these men and women of the House of Representatives. I want to thank you for them and their families, for their dedication and service to this state and to their country. Bless, keep and protect their families.

I thank you for the state of Kansas and I want to thank you for this great privilege to get to be here and be a part of this great God honoring tradition of praying to open each session of congress. Dear God, please bless these people with supernatural wisdom and discernment to introduce and pass legislation that will honor the Holy Name of Jesus. Laws that will reflect the will of the God and the will of the people and God I beg you to please help them stay within the bounds of our state constitution and the constitution of the United States of America, the greatest document ever written by man.

Please help them to fear you and keep your commandments for this is the whole duty of man. Bless Governor Brownback and his family and Lt. Governor Colyer and his family. Have your hand upon the Senate and help them honor you in everything they do. And most of all I want to thank you Jesus for giving your life for us, so that we might live through you, the perfect Son of God. In Jesus' Name I pray Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

INTRODUCTION OF GUESTS

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

It is my pleasure to recognize these members from the Russell High School FFA Livestock Judging team. I congratulate Lane Mai, Payton Stoppel, Jordan Moubry and Clayton Moubry; their Advisor, Jed Strnad; Principal, Larry Bernard; and Athletic Director, Mark Paul for their efforts in 2012. The Russell High School FFA Livestock judging team placed first at the Kansas state competition, placed fourth at the national competition in Indianapolis, Indiana, and they have been invited to participate at the international competition this coming July at Edinburgh, Scotland. Join me in congratulating these four members of the Russell High School FFA Livestock judging team who will represent all Kansans this July in Scotland. Congratulations.

Rep. Waymaster presented House certificates to each one who was present.

PERSONAL PRIVILEGE

Rep. Rhoades recognized the representatives of the Kansas Kidney Coalition who were present in the gallery.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2391, AN ACT concerning school finance; relating to the financing of ancillary school facilities; amending K.S.A. 2012 Supp. 72-6441 and repealing the existing section, by Committee on Appropriations.

HB 2392, AN ACT concerning school finance; relating to capital outlay funds; amending K.S.A. 72-8804 and 72-8812 and K.S.A. 2012 Supp. 72-8801 and repealing the existing sections, by Committee on Appropriations.

HB 2393, AN ACT concerning motor vehicles; relating to license plates and placards for persons with disability; penalties; amending K.S.A. 2012 Supp. 8-1,125 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2394, AN ACT concerning criminal procedure; prohibiting the use of drones by law enforcement agencies, by Committee on Federal and State Affairs.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2033, AN ACT concerning regulation of knives; relating to carrying or using weapons; amending K.S.A. 2012 Supp. 21-6301 and 21-6302 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 28; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers,

Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber, Weigel, Whipple.

Nays: Ballard, Bollier, Bridges, Carlin, Clayton, Dierks, Dillmore, Finney, Frownfelter, Gonzalez, Henderson, Hill, Houston, Kuether, Lusk, Moxley, Perry, Phillips, Rooker, Ruiz, Sloop, Swanson, Tietze, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Peterson, Petty, Seiwert.

The bill passed.

HB 2160, AN ACT concerning quality care assessment on skilled nursing care facilities; amending K.S.A. 2012 Supp. 75-7435 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 21; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meigs, Menghini, Merrick, Moxley, O'Brien, Osterman, Pauls, Perry, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bollier, Campbell, DeGraaf, Edwards, Esau, Grosserode, Hildabrand, Hoffman, Houser, Houston, Howell, Kelley, Kinzer, McPherson, Meier, Montgomery, Peck, J. Powell, Rhoades, Suellentrop, Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Peterson, Petty, Seiwert.

The bill passed.

HB 2193, AN ACT concerning accessibility standards for public facilities; amending K.S.A. 58-1301b 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson,

Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Edmonds, Peterson, Petty, Seiwert.

The bill passed.

HB 2195, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 10; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Menghini, Merrick, O'Brien, Osterman, Pauls, Peck, Perry, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bruchman, Burroughs, Grosserode, Hildabrand, Houston, Kinzer, Meigs, Moxley, Todd, Ward.

Present but not voting: None.

Absent or not voting: Edmonds, Montgomery, Peterson, Petty, Seiwert.

The bill passed, as amended.

On motion of Rep. Vickrey, 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 2296** be passed.

Committee report to **HB 2319** be adopted; also, roll call was demanded on motion of Rep. Winn to amend on page 3, in line 2, after the second comma by inserting "the provisions of K.S.A. 72-5410 et seq., and amendments thereto, the provisions of K.S.A. 72-5413, et seq., and amendments thereto, the provisions of K.S.A. 72-5436 et seq., and amendments thereto,"

On roll call, the vote was: Yeas 50; Nays 71; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Corbet, Davis, Dillmore, Doll, Finch, Finney, Frownfelter, Grant, Henderson, Henry, Hill, Hineman, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Shultz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Crum, DeGraaf, Dierks, Dove, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Phillips, J. Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Schwab, Schwartz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Edmonds, Peterson, Petty, Seiwert.

The motion of Rep. Winn did not prevail; and **HB 2319** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2055** be amended on page 1, in line 8, after "in" by inserting "any"; also in line 8, by striking "buildings" and inserting "building"; in line 10, after "building" by inserting "and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto"; in line 12, after "security" by inserting "measures"; in line 13, by striking "a concealed"; in line 14, by striking all before the period and inserting "any weapons into such building"; in line 19, by striking all before the period and inserting "and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto"; in line 21, by striking "such" and inserting "a state or municipal"; in line 24, by striking all after "measures"; in line 25, by striking all before the period and inserting "and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto"; in line 26, after "security" by inserting "measures"; in line 27, by striking "public building and which properly posts a sign" and inserting "state or municipal building and conspicuously posts signage in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto,"; in line 28, by striking "as"; in line 29, by striking all before the comma; in line 34, by striking "in a public" and inserting "measures in a state or municipal";

On page 2, in line 16, by striking "post secondary" and inserting "postsecondary"; in line 23, after "person" by inserting "into any building located";

On page 3, in line 9, by striking all after "firearm"; in line 10, by striking "places";

On page 4, following line 43, by inserting:

"Sec. 3. K.S.A. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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, as provided in subsection (b)(2); to be forwarded by the sheriff to the attorney general; (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 in 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 requirement of this section."

On page 5, in line 41, after "security" by inserting "measures"; in line 42, by striking "or facility"; also in line 42, by striking "properly posts a sign" and inserting "conspicuously posts signage in accordance with this section"; in line 43, by striking "on the premises of" and inserting "in"; also in line 43, by striking "or";

On page 6, in line 1, by striking all before "shall"; in line 5, after "security" by inserting "measures"; in line 6, by striking "or facility"; in line 22, by striking "(f)" and inserting "(h)"; following line 23, by inserting:

"(d) Any board of education of a unified school district, governing body of any community college, technical college or the institute of technology, or the chancellor or president of any state educational institution may permit any employee, who is licensed to carry a concealed handgun as authorized by the provisions of K.S.A. 75-7c01 et seq., and amendments thereto, to carry a concealed handgun in any school building if the employee meets such institution's own policy requirements regardless of whether such building is conspicuously posted in accordance with the provisions of K.S.A. 75-7c10, and amendments thereto.";

And by redesignating the remaining subsections accordingly;

Also on page 6, in line 26, by striking "(b)" and inserting "(c)"; in line 27, by striking "(f)" and inserting "(h)"; in line 28, by striking all after "shall"; by striking all in lines 29 and 30; in line 31, by striking all before the period and inserting "not be subject to a criminal penalty but may be subject to denial to such premises or removal from such premises"; in line 32, by striking "(b)" and inserting "(c)"; in line 39, after the comma by inserting "or a law enforcement officer from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C,"; in line 40, by striking "(b)" and inserting "(c)";

On page 7, in line 2, by striking the comma and inserting ":

(1) "Adequate security measures" shall have the same meaning as the term is defined in section 1, and amendments thereto;

(2) " ";

Also on page 7, in line 10, by striking "(b)" and inserting "(c)"; following line 18, by inserting:

"Sec. 5. K.S.A. 2012 Supp. 75-7c17 is hereby amended to read as follows: 75-7c17. (a) The legislature finds as a matter of public policy and fact that it is necessary to provide statewide uniform standards for issuing licenses to carry concealed handguns for self-defense and finds it necessary to occupy the field of regulation of the bearing of concealed handguns for self-defense to ensure that no honest, law-abiding person who qualifies under the provisions of this act is subjectively or arbitrarily denied the person's rights. No city, county or other political subdivision of this state shall regulate, restrict or prohibit the carrying of concealed handguns by persons licensed under this act except

as provided in subsection ~~(b)~~ (c) of K.S.A. 2012 Supp. 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218, prior to its repeal, or subsection ~~(e)~~ (f) of K.S.A. 2012 Supp. 21-6309, and amendments thereto. Any existing or future law, ordinance, rule, regulation or resolution enacted by any city, county or other political subdivision of this state that regulates, restricts or prohibits the carrying of concealed handguns by persons licensed under this act except as provided in subsection ~~(b)~~ (c) of K.S.A. 2012 Supp. 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218, prior to its repeal, or subsection ~~(e)~~ (f) of K.S.A. 2012 Supp. 21-6309, and amendments thereto, shall be null and void.

(b) Prosecution of any person licensed under the personal and family protection act, and amendments thereto, for violating any restrictions on licensees will be done through the district court.

(c) The legislature does not delegate to the attorney general the authority to regulate or restrict the issuing of licenses provided for in this act, beyond those provisions of this act pertaining to licensing and training. Subjective or arbitrary actions or rules and regulations which encumber the issuing process by placing burdens on the applicant beyond those sworn statements and specified documents detailed in this act or which create restrictions beyond those specified in this act are in conflict with the intent of this act and are prohibited.

(d) This act shall be liberally construed. This act is supplemental and additional to existing constitutional rights to bear arms and nothing in this act shall impair or diminish such rights.";

And by renumbering sections accordingly;

Also on page 7, in line 19, by striking "and" and inserting ", 75-7c05,"; also in line 19, after "75-7c10" by inserting "and 75-7c17";

On page 1, in the title, in line 2, by striking the first "and" and inserting ", 75-7c05,"; also in line 2, after "75-7c10" by inserting "and 75-7c17"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Tietze to replace Rep. Grant as a member of Committee on Transportation and Public Safety Budget for March 7.

REPORT ON ENGROSSED BILLS

HB 2195 reported correctly engrossed March 6, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6016 reported correctly enrolled and properly signed on March 7, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, March 8, 2013.

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 8, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Rep. Shultz was excused on legislative business.

Reps. Edmonds, Hermanson and Houston were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Ben Saucedo, associate pastor, Temple Baptist Church, Wichita, and guest of Rep. Howell:

Dear Heavenly Father,

We come to you on this final day of the week and ask for your wisdom, grace, and peace to be upon this body. As they take action today that places many Kansans' lives in their hands, we pray that they would seek you in each decision they make. May they remember that it is You Who has made this country and state great, not man. Guide them today, and we ask this in the name of Your Son, Jesus. Amen.

The Pledge of Allegiance was led by Rep. Houser.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5014**—
By Committee on Energy and Environment

A CONCURRENT RESOLUTION urging the Department of State and the White House to approve the Presidential Permit application allowing the construction and operation of the TransCanada Keystone XL Pipeline between the United States and Canada in order to strengthen United States energy security, to provide for critical pipeline infrastructure, to achieve North American energy independence and to stimulate the American economy and create jobs.

WHEREAS, The United States accounts for 20% of world energy consumption, which makes it the world's largest petroleum consumer. The United States consumes more than 18 million barrels of oil each day, with forecasts indicating this will not

change for decades. Current imports amount to more than eight million barrels each day which is approximately 50% of the requirements of the United States; and

WHEREAS, Even with new technology, oil discoveries, alternative fuels and conservation efforts, the United States will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food and drive their vehicles, but to enable the United States economy to thrive and grow, free from the potential threats and disruptions of an unreliable crude oil supply from less secure parts of the world; and

WHEREAS, The increasing production of conflict-free oil from Canadian oil sands can both replace crude oil imported from countries that do not share American values and add additional pipeline capacity to refineries in the United States Midwest and Gulf Coast; and

WHEREAS, Increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the United States and some of the most stringent human rights and worker protection laws in the world; and

WHEREAS, The 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day, or half of the refining capacity of the United States. In 2011, these refineries imported approximately 5 million barrels per day of crude oil from more than 30 countries, with the top five suppliers being Canada with 24%, Mexico with 22%, Saudi Arabia with 17%, Venezuela with 16% and Nigeria with 9%. Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL and Gulf Coast Expansion projects could displace roughly 40% of the oil the United States currently imports from the Persian Gulf and Venezuela; and

WHEREAS, The Keystone XL Pipeline project, which has been subject to the most thorough public consultation process of any proposed United States pipeline and the subject of multiple environmental impact statements and several United States Department of State studies, poses a minimal impact to the environment and is much safer than other modes of transporting crude oil; and

WHEREAS, Pipelines are the safest method for the transportation of petroleum products when compared to other methods of transportation. Pipelines are 40 times safer than moving crude oil by rail and 100 times safer than transportation by truck. The Keystone XL Pipeline will replace the equivalent of a tanker train 25 miles long or 200 ocean tankers per year; and

WHEREAS, The Keystone XL project will create approximately 9,000 jobs during construction, and the related \$2.3 billion Gulf Coast Project will create approximately 4,000 construction jobs. Combined, the projects will support an additional 7,000 manufacturing jobs. Furthermore, 75% of the pipe used to build Keystone XL in the United States will come from North American mills, with half being made by workers in the United States, and goods for the pipeline valued at approximately \$800 million have already been sourced from United States manufacturers: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge the President of the United States to support the continued and increased importation of oil derived from Canadian oil sands; and that we urge the United States Secretary of State to approve the newly-routed pipeline application from TransCanada in order to reduce dependence on unstable governments,

improve our national security and strengthen ties with an important ally.

Be it further resolved: That the Secretary of State be directed to provide an enrolled copy of this resolution to the President of the United States, the United States Secretary of State and each member of the Kansas Congressional Delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2391, HB 2392.**

Corrections and Juvenile Justice: **HB 2393, HB 2394.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 176, SB 216.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 176, SB 216.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2296, AN ACT concerning campaign finance; relating to uses of campaign funds; amending K.S.A. 2012 Supp. 25-4157a 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bridges.

Present but not voting: None.

Absent or not voting: Edmonds, Hermanson, Houston, Shultz.

The bill passed.

HB 2319, AN ACT creating the coalition of innovative districts act, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 47; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcala, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Rooker, Ruiz, Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Hermanson, Houston, Shultz.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: While I am in favor of innovation in our public schools, I believe that **HB 2319** is not the answer. It allows a few school districts to ignore state laws including:

Mileage restrictions for busing students from other districts

Curriculum policies

Teacher input

Due Process

Attendance Requirements

and the Kansas Open Meeting Law.

If we truly care about our children, we should stop choosing the wealthy and big business over our public schools and fund public education sufficiently. Let all schools have the resources to be innovative. I respectfully vote "No." – ED TRIMMER, ANNIE

TIETZE

MR. SPEAKER: While I am strongly supportive of the idea of increasing innovation in education, I am forced to vote against this bill because of the unnecessary provision of the bill which would exempt innovative public school districts from all state laws, rules, and regulations. Unfortunately, an amendment favored by the major Proponents of the bill, which would have resolved major problems with the bill, was defeated.

The problems remaining include: existing teacher contracts rendered void, exemption from the state assessment requirements, the allowance of non-certified teachers, denial of worker due process rights, and exemption of collective bargaining for teacher working conditions. I vote NO on **HB 2219**. – NANCY LUSK, JULIE MENGhini, EMILY PERRY, PATRICIA M. SLOOP, CAROLYN L. BRIDGES, VIRGIL WEIGEL, SYDNEY CARLIN

MR. SPEAKER: I vote NO on **HB 2319**. I support innovation but oppose ignoring testimony of proponents who emphasize that cohesion between Administrators and

teachers is MORE important to student achievement than exemption from rules and regulations.

We develop policies based on public testimony. For **HB 2319** voices in the dark who are more interested in denying due process for teachers carry more weight than those who publicly testify.

Quality teachers will not remain in districts where they have no rights. In **HB 2319** you can hire non-certified teachers. You wouldn't seek medical services from unlicensed doctors, your children's education should not be an experimentation with non-certified teachers. – VALDENIA C. WINN, BRODERICK HENDERSON, GAIL FINNEY

MR. SPEAKER: I support innovation in our public schools, but cannot support **HB 2319**. We currently allow public school districts to operate on waivers for the purpose of innovation. Three currently do so. These superintendents testified in committee that they cannot name state regulations they wish to be freed from in order to better serve their students. The bill removes the following regulations:

- Mileage restrictions for busing students from other districts
- Teacher certification requirements
- Curriculum policies
- Teacher input
- Due Process
- Attendance Requirements
- and the Kansas Open Meeting Law.

I do not believe this is in the best interests of our students, therefore I vote no on **HB 2319**. – MELISSA ROOKER

MR. SPEAKER: School districts deserve the ability to be innovative, which is especially paramount as we seek to give more local control to our school districts and allow them to be more child centric. This bill will help existing schools attract and keep the best and brightest teachers and allow curriculum and learning opportunities not found under the current system. Innovative school districts will have the flexibility to tailor their policies to best meet the needs of children. In the end, that is what this vote is about, the children. For that reason, I vote YES for our children and **HB 2319**. – KEN CORBET, RONALD L. HIGHLAND, MARTY READ, MIKE HOUSER, ALLEN ROTH LISBERG, KEVIN JONES, JACK THIMESCH, KYLE HOFFMAN, TROY WAYMASTER, JOSH POWELL

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Seiwert in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Seiwert, Committee of the Whole report, as follows, was adopted: Recommended that committee report to **HB 2234** be adopted; also, on motion of Rep. Proehl be amended on page 2, in line 37, by striking the first comma and inserting "and"; also in line 37, by striking "and other resources";

On page 3, in line 3, before "highways" by inserting "projects which connect the turnpike to the";

Roll call was demanded on motion of Rep. Grant to amend **HB 2234** on page 3, following line 28, by inserting:

"Sec. 3. K.S.A. 68-2004 is hereby amended to read as follows: 68-2004. (a) The authority is hereby authorized and empowered to:

- (1) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) adopt an official seal and alter the same at pleasure;
- (3) maintain an office at such place or places within the state as it may designate;
- (4) sue and be sued in its own name, plead and be impleaded;
- (5) determine the location, subject to the approval of the secretary of transportation, of each turnpike project financed under the provisions of this act, determine its design and the materials of construction, and construct, maintain, repair and operate the same;
- (6) issue turnpike revenue bonds of the authority for any of its corporate purposes, payable solely from the tolls and revenues pledged for their payment, and to refund its bonds, all as provided in this act;
- (7) fix and revise from time to time and charge and collect tolls, except as provided in K.S.A. 68-2009, and amendments thereto, for transit over each turnpike project constructed by it;
- (8) adopt rules and regulations for the use of any such turnpike project, and adopt rules and regulations for traffic control on such project;
- (9) acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;
- (10) designate the locations, and establish, limit and control such points of ingress to and egress from each turnpike project as may be necessary or desirable in the judgment of the authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated;
- (11) make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act;
- (12) employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation;
- (13) receive and accept from any federal agency grants for or in aid of the construction of any turnpike project, and to receive and accept aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made; and
- (14) do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

(b) Violation of any of the rules and regulations adopted under this section shall be unlawful and subject to the penalties contained in K.S.A. 8-2116, and amendments thereto.

Sec. 4. K.S.A. 68-2009 is hereby amended to read as follows: 68-2009. (a) (1) The authority is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, motor fuel filling stations, garages, and restaurants, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use. All contracts made by the authority for retail establishments or locations for retail establishments shall be

made separately for each retail establishment or location for a retail establishment and sealed bids shall be asked separately on each retail establishment or each location for a retail establishment by public offering duly advertised as provided by law for the advertising for bids on state highway construction projects and each such contract shall be let by the authority in like manner as provided by law for the letting of highway construction contracts by the secretary of transportation. Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the turnpike project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any, to pay ~~(a)~~ the cost of maintaining, repairing and operating such turnpike project or projects and ~~(b)~~ the principal of and the interest on such bonds as the same shall become due and payable, and to create reserves for such purposes.

(2) On and after July 1, 2013, the Kansas legislature shall have the sole authority to fix and revise tolls for the use of each turnpike project and the different parts thereof. Tolls which are in effect on June 30, 2013, shall remain in effect until revised by the Kansas legislature through legislative enactment. Nothing in this section shall be construed to limit the authority's ability to charge and collect such tolls which have been set by the legislature.

(b) Such tolls shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the state. The tolls and all other revenues derived from the turnpike project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made; the tolls or other revenues or other moneys so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the authority. The use and disposition of moneys to the credit of such sinking fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such sinking fund shall be a fund for all such bonds without distinction or priority of one over another.";

Also on page 3, in line 29, after "68-2003," by inserting "68-2004, 68-2009,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "transportation;" by inserting "powers and duties, fixing tolls;"; also in line 4, after "68-2003" by inserting ", 68-2004, 68-2009"

On roll call, the vote was: Yeas 34; Nays 85; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Bruchman, Edmonds, Hermanson, Houston, Peterson, Shultz.

The motion of Rep. Grant did not prevail.

On motion of Rep. Edwards to lay **HB 2234** on the table, the motion did not prevail. (No point of order was made to the motion to table under House Rule 1907).

On motion of Rep. Meier to refer **HB 2234** to Committee on Transportation and Public Safety Budget, the motion did not prevail.

On motion of Rep. Menghini, **HB 2234** be amended as amended by House Committee of the Whole, in the amendment adopted on motion of Representative Proehl, # fa_2013_hb2234_h_1509, after "projects" by inserting "not to exceed 10 miles"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education Budget** recommends **HB 2003** be amended on page 4, in line 28, by striking "\$4,241" and inserting "\$4,264"; also in line 28, by striking "2012-2013" and inserting "2013-2014"; in line 29, by striking "2013-2014" and inserting "2014-2015"; also in line 29, by striking "2014-2015" and inserting "2015-2016";

On page 5, in line 40, after "22.5%" by inserting "for school year 2013-2014 and school year 2014-2015 and 25% for school year 2015-2016 and each school year thereafter";

On page 6, in line 4, by striking "28%" and inserting "17.9% for school year 2013-2014 and school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter"; in line 11, by striking "each"; also in line 11, after "year" by inserting "2013-2014 and school year 2014-2015"; in line 13, by striking "27%" and inserting "17%"; in line 15, by striking "each"; also in line 15, after "year" by inserting "2013-2014 and school year 2014-2015"; in line 16, by striking "27%" and inserting "17%";

Also on page 6, following line 18, by inserting:

"(3) In school year 2015-2016 and each school year thereafter, the board of any district may adopt a local operating budget which does not exceed the state prescribed percentage.";

Also on page 6, in line 19, by striking "(1)";

On page 7, in line 40, after "(b)(2)" by inserting "or (b)(3)";

On page 9, following line 41, by inserting:

"(C) This paragraph shall expire on June 30, 2015.";

On page 18, in line 26, by striking "28%" and inserting "17.9% for school year 2013-2014 and school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2253** be amended on page 2, in line 32, by striking "volunteer" and inserting "agent"; in line 38, after "employee" by inserting ", agent";

On page 3, following line 11, by inserting:

"New Sec. 9. (a) The secretary of the department of health and environment may authorize and oversee certain activities, including the awarding of grants, contracts or cooperative agreements to eligible entities to:

(1) Collect, synthesize and disseminate current evidence-based information relating to Down syndrome or other prenatally or postnatally diagnosed conditions; and

(2) coordinate the provision of, and access to, new or existing supportive services for women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child, including, but not limited to:

(A) The establishment of a resource telephone hotline or website accessible to women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(B) the development of outreach programs to new and expecting parents to provide them with up-to-date information on the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes;

(C) the development of local peer support programs to effectively serve women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(D) the establishment of a network of local registries of families willing to adopt newborns with Down syndrome or other prenatally or postnatally diagnosed conditions, and links to adoption agencies willing to place babies with Down syndrome or other prenatally or postnatally diagnosed conditions with families willing to adopt; and

(E) the establishment of awareness and education programs for health care providers who provide, interpret or inform parents of the results of prenatal tests for Down syndrome or other prenatally or postnatally diagnosed conditions to patients.

(b) A grantee under this section shall make the following available to health care providers of parents who receive a prenatal or postnatal diagnosis for their child:

(1) Up-to-date, evidence-based, written information concerning the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes;

(2) contact information regarding support services, including information hotlines and websites specific to Down syndrome or other prenatally or postnatally diagnosed conditions, resource centers or clearinghouses, local peer support groups and other education and support programs.

(c) Information provided under this subsection shall be culturally and linguistically appropriate as needed by women and the spouses of such women who receive a positive diagnosis for Down syndrome or other prenatally or postnatally diagnosed conditions for their child, and approved by the secretary.

(d) In distributing funds under this section, the secretary shall place an emphasis on funding partnerships between health care professional groups and disability advocacy organizations.

(e) On or before January 12, 2015, the secretary shall prepare and submit a report to the governor and the legislature on the grants, contracts and cooperative agreements made under this section and the effectiveness of the programs supported by such grants, contracts and cooperative agreements.

(f) As used in this section:

(1) "Down syndrome" means a chromosomal disorder caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

(2) "Eligible entity" means the state, or any political subdivision thereof, or any other entity with appropriate expertise in prenatally and postnatally diagnosed conditions, as determined by the secretary.

(3) "Health care provider" shall have the same meaning as that term is defined in K.S.A. 40-3401, and amendments thereto.

(4) "Postnatally diagnosed condition" means any health condition identified during the 12-month period beginning at birth.

(5) "Prenatally diagnosed condition" means any fetal health condition identified by prenatal genetic testing or prenatal screening procedures.

(6) "Prenatal test" means diagnostic or screening tests offered to pregnant women seeking routine prenatal care that are administered on a required or recommended basis by a health care provider based on medical history, family background, ethnic background, previous test results or other risk factors.

(7) "Secretary" means the secretary of the department of health and environment.;"

On page 10, in line 16, by striking "and" and inserting a comma; in line 17, after "services" by inserting "and a listing of websites for national perinatal assistance";

On page 13, following line 23, by inserting:

"(l) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed that has a website shall publish an easily identifiable link on the homepage of such website that directly links to the department of health and environment's website that provides informed consent materials under the woman's-right-to-know act. Such link shall read: "The Kansas Department of Health and Environment maintains a website containing objective, nonjudgmental, scientifically accurate information about the development of the unborn child, as well as video of sonogram images of the unborn child at various stages of development. The Kansas Department of Health and Environment's website can be reached by clicking here."";

And by redesignating remaining subsections accordingly;

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 1, after the second semicolon, by inserting "relating to prenatally and postnatally diagnosed conditions;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2182**, be amended as recommended by Committee on Judiciary as reported in the Journal of the House on February 28, 2013, and the bill, as printed with amendments by House Committee, be further amended on page 1, in line 25, after "state" by inserting "the name, address and phone number of the person filing the petition,"; 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. 55, by Representative Merrick, congratulating Glen Meeker, Fire Apparatus Operator, Johnson County Fire District No. 2 on his retirement on March 7, 2013 and his service to the citizens of Johnson County, Kansas for over 43 years;

Request No. 56, by Representative Howell, congratulating Caleb Jake Preston on achieving the rank of Eagle Scout;

Request No. 57, by Representative Ewy, congratulating Noah Day on achieving the rank of Eagle Scout;

Request No. 58, by Representative Ewy, congratulating Colt Stairrett 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. Vickrey, 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 thereupon introduced and read by title:

HB 2395, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2012 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Appropriations.

HB 2396, AN ACT concerning state property; relating to surplus real estate; identifying real estate as surplus property; allowing the sale of certain surplus real estate by the secretary of administration; appeals of surplus determination; amending K.S.A. 2012 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2012 Supp. 75-6609a, by Committee on Appropriations.

HB 2397, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; establishing the Kansas death penalty abolition fund; amending K.S.A. 22-3405, 22-3705 and 22-4210 and K.S.A. 2012 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6626, 21-6628, 21-6629, 21-6806, 22-3717, 22-3728, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-5401, 21-6617 and 21-6619, by Committee on Federal and State Affairs.

HB 2398, AN ACT concerning limited liability companies; concerning the Kansas revised limited liability company act; amending K.S.A. 17-7662, 17-7664, 17-7666, 17-7668, 17-7670, 17-7671, 17-7672, 17-7673, 17-7674, 17-7676, 17-7677, 17-7679, 17-7680, 17-7683, 17-7686, 17-7687, 17-7688, 17-7689, 17-7690, 17-7691, 17-7693, 17-

7695, 17-7697, 17-7698, 17-76,100, 17-76,103, 17-76,104, 17-76,105, 17-76,106, 17-76,107, 17-76,110, 17-76,112, 17-76,113, 17-76,114, 17-76,115, 17-76,116, 17-76,117, 17-76,118, 17-76,119, 17-76,121, 17-76,121a, 17-76,122, 17-76,123, 17-76,124, 17-76,125, 17-76,126, 17-76,127, 17-76,128, 17-76,130, 17-76,131, 17-76,133, 17-76,134, 17-76,136, 17-76,137, 17-76,139 and 17-76,140; K.S.A. 2011 Supp. 84-9-406, as amended by section 8 of chapter 84 of the 2012 Session Laws of Kansas, and 84-9-408, as amended by section 9 of chapter 84 of the 2012 Session Laws of Kansas, and K.S.A. 2012 Supp. 17-7663, 17-7675, 17-7678, 17-7681, 17-7682 and 17-76,143 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2241** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Commerce, Labor and Economic Development for March 8.

REPORT ON ENGROSSED BILLS

HB 2319 reported correctly engrossed March 7, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 11, 2013.

Journal of the House

THIRTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 11, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Rep. Shultz was excused on legislative business.

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

Prayer by Chaplain Brubaker:

Father God,
Your Word instructs us to
“not forget to do good and to share with others.”
We share our opinions, thoughts, and research
in order to make good and right decisions.
We should all share in the give and take of our differences
when we debate a certain topic.
We share in the responsibility of thoroughly
investigating and examining all possibilities
before placing our vote.
We all share in responsible stewardship in
determining allocation of monies.
We should all share in the concern and desire
to help the helpless, the young and the elderly.
We share with each other our lives
in this intense time-consuming 90-day session.
We even share in the Big 12 championship title
to make Kansans proud of their teams.
The remaining part of the verse earlier stated says
that in this sharing, we please God.
Today, we strive to please and glorify You.
In Your Son’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Jennings.

INTRODUCTION OF GUESTS

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

Congratulations to Field Kindley High School students, David Paul Kritz and Grant Hendrix for winning the 2013 Class-4A two-speaker state debate competition.

David and Grant, who are coached by Field Kindley High School debate instructors Megan Henson and her assistant John Shively, competed and won against 71 other teams in the competition. The Coffeyville team finished the tournament 9-1, winning the final round against Nickerson High School. Their overall senior record was 32-8. Grant and David Paul have both participated in debate since their freshman year of high school. Over the years they have worked hard and competed at a level of competition that earned them the right to win State.

Coffeyville is very proud of David Paul Kritz, Grant Hendrix and their instructors for bringing this state debate title home to Coffeyville. The Field Kindley debate program has now had two state championships and one state runner-up finish in the last three years.

Rep. Kelly presented a framed House certificate to the debate team.

INTRODUCTION OF GUESTS

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

Today I am pleased to recognize Principal, Jerry Longabaugh, and students from Dwight D. Eisenhower Middle School from Goddard. Dwight D. Eisenhower Middle School received the Governor's Achievement Award from the Kansas State Board of Education for receiving Building Level Standards of Excellence in both reading and math, meeting AYP requirements, and being in the top 5% of Middle/Junior High Schools. This award recognizes the outstanding students, facility, and administration of such an exemplary institution. I am proud to have them in my district. The students in attendance were Shawn McCool, Tera Lynch, Kensey Arlt, Alexys Porter and Josh Paul.

Rep. Seiwert presented a framed House certificate to the students.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Education: **SB 176**.

Energy and Environment: **HCR 5014**.

Federal and State Affairs: **HB 2397**.

General Government Budget: **HB 2396; SB 216**.

Insurance: **HB 2395**.

Judiciary: **HB 2398**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 23** from Committee on Education and referral to Committee on Education Budget.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2234, AN ACT concerning the Kansas turnpike authority; relating to contracts between the authority and the Kansas department of transportation; amending K.S.A.

68-2003 and 68-2021 and repealing the existing sections; also repealing K.S.A. 68-2030, 68-2031, 68-2032, 68-2033, 68-2034, 68-2035, 68-2036, 68-2037, 68-2038, 68-2039, 68-2040, 68-2041, 68-2042, 68-2043, 68-2044, 68-2045, 68-2046, 68-2047, 68-2048, 68-2048a, 68-2048b, 68-2048c, 68-2051, 68-2052, 68-2053, 68-2054, 68-2055, 68-2056, 68-2057, 68-2058, 68-2059, 68-2060, 68-2061, 68-2062, 68-2063, 68-2064, 68-2065, 68-2066, 68-2067, 68-2068, 68-2069, 68-2070, 68-2071, 68-2072, 68-2073, 68-2074, 68-2075, 68-2076, 68-2077, 68-2078, 68-2079, 68-2080, 68-2081, 68-2082, 68-2083, 68-2084, 68-2085, 68-2086, 68-2087, 68-2088, 68-2089, 68-2090, 68-2091, 68-2092, 68-2093, 68-2094, 68-2095, 68-2096, 68-2097, 68-2098, 68-2099, 68-20100, 68-20,101, 68-20,102, 68-20,103, 68-20,104, 68-20,105, 68-20,106, 68-20,107, 68-20,108, 68-20,109, 68-20,110, 68-20,111, 68-20,112, 68-20,113, 68-20,114, 68-20,115, 68-20,116, 68-20,117, 68-20,118 and 68-20,119, 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, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Doll, Dove, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Edmonds, Edwards, Finney, Frownfelter, Grant, Henderson, Henry, Hibbard, Hill, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Rooker, Ruiz, Sawyer, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Concannon, Peterson, Shultz.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Several proponents on Friday cited KSA 68-2066, a longstanding law providing that the turnpike becomes part of the State highway system once the bonds are paid off. They argue that this bill is a logical step to that ultimate transfer. Quite the opposite is the case. In addition to amending two statutes, **HB 2234** repeals 86 Kansas Statutes (count them-----86), none of which have been considered or discussed. Among those you are voting to repeal is KSA 68-2066, that very statute cited by the proponents. I vote no on **HB 2234**. – DON HILL, LARRY HIBBARD, JOHN WILSON, JULIE MENGhini, VIRGIL WEIGEL

MR. SPEAKER: I vote no on **HB 2234**. The tolls on the Turnpike are designed to pay for maintenance of the Turnpike. If there is more money than necessary being raised then tolls should be lowered. Yet this bill allows the KDOT to divert funds to alternative uses. The administration's budget proposal already calls for highway funds to pay for

mental health, school busing and a KBI lab. This proposal just expands the size of the Bank of KDOT. I am not anxious to see what the next ingenious idea is for user fee funding. – BOB GRANT

MR. SPEAKER: **HB 2234** permits KDOT to provide resources to the KTA such as personnel and equipment, contractors, record-keeping, reporting, administrative, planning, engineering, legal and clerical functions. Additionally, the bill formalizes the contractual arrangement between the two entities for construction, operation, and maintenance of turnpike projects and highways of the state. At the same time, toll funds will continue to maintain the excellent quality of the turnpike, without redirection to projects in other parts of the state. This will allow for the same level of service currently provided by the Kansas Turnpike Authority while saving taxpayers money. For this reason, I vote YES on **HB 2234**. – PEGGY MAST, RICHARD J. PROEHL

MR. SPEAKER: It is amazing at a time when the trend in this Legislature is to privatize government services; that the best example of how privation has worked in Kansas is being brought under the control of a public agency. I vote no on **HB 2234**, there are plenty of issues that need our attention around here; the Kansas Turnpike is not one of them. – CAROLYN L. BRIDGES

MR. SPEAKER: I vote no on **HB 2234**. Nearly every proponent who spoke on this bill indicated that they are opposed to diverting KTA toll revenues to pay for maintenance work on other Kansas roads. Yet **HB 2234** contains language that allows KDOT to do just that. Spend toll revenues on any road that connects to the Turnpike within 10 miles. The only income the turnpike has is toll revenues and diverting KTA resources makes the toll I pay a tax not a fee. – ED TRIMMER, GAIL FINNEY, ANNIE TIETZE, PATRICIA M. SLOOP, BARBARA W. BALLARD

MR. SPEAKER: **HB 2234** does not accomplish significant savings or represent a meaningful consolidation of government. I believe it is better to leave the Kansas Department of Transportation and the Kansas Turnpike Authority completely separate. For these reasons, I vote NO on **HB 2234**. – JOE EDWARDS

REPORT ON ENGROSSED BILLS

HB 2234 reported correctly engrossed March 8, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, March 12, 2013.

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 12, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Rep. Frownfelter was excused on verified illness.

Reps. Clayton, Concannon, Osterman, Peterson and Todd were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious and loving God,
thank you for all you have made us to be,
for your infinite kindness and mercies
which are new every morning.
You have given us so many blessings,
unworthy as we are.
Help us to use these gifts of blessings
to show our gratitude and our awareness
of just how dependent we are on Your grace.
As we endeavor to fulfill our responsibilities,
fill us with the compassion of Jesus, Your Son.
Give us eyes to see the needs of those around us,
in the faces of our neighbors near and dear.
Give us hearts that are moved by the pleas of those
who cry out on behalf of the children,
the jobless, the sick, and the suffering.
Give us hands that are eager to share
what You have entrusted to us.
Give us feet to venture wherever the Spirit leads.
As we resolve to be mindful of the needs of others,
we pray that You instill in us Your kindness and Your mercy.
In Jesus' name, I pray. Amen.

The Pledge of Allegiance was led by Rep. Perry.

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 2013 businesses of the year. These sixteen businesses represent economic vitality and human vibrancy and growth potential 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. In 2012 there were over 2,000 businesses in Kansas that received KSBDC services including our honorees today. 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. As we face challenging times ahead The entrepreneurial spirit and energy represented by those we recognize today provide a source of encouragement and optimism. The Kansas House of Representatives is pleased to welcome, thank and congratulate these honored guests today!

INTRODUCTION OF GUESTS

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

I would like to introduce the national wrestling champions from Labette Community College in Parsons who won in 2012 and 2013. They also won in 2005!

They are the 2013 NJCAA National Champions, 2013 NWCA National Dual Meet Champions, 2013 NJCAA West-Central District Champions and 2013 Kansas Cup Champions.

The team members are: Josh Walker, third place (125 pounds); Eric Hughes, sixth place (two-time All-American, 133 pounds); Tyler Davis (141 pounds); Spencer Rutherford, fourth place (149 pounds); Jeromy Davenport, fifth place (two-time All-American, 157 pounds); Devin Aguirre, champion (two-time champion and most outstanding wrestler award at the national tournament); Payne Hatter, fourth place (165 pounds); Cody Johnson, second place (184 pounds); Shelby Krout (197 pounds); and Trey Jack Page (heavyweight). Also, in attendance were Joe Renfro, Head Coach, 2013 National Coach of the Year (second year in a row); Dennis Siegmann, assistant coach; Willie Weber, assistant coach; and Ben McKenzie, head trainer.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2399, AN ACT concerning civil actions; relating to civil action for damages for criminal act; trespass and liability, by Committee on Federal and State Affairs.

HB 2400, AN ACT concerning schools; enacting the corporate education tax credit scholarship program act; providing for educational scholarships; authorizing a tax credit; amending K.S.A. 2012 Supp. 79-32,138 and repealing the existing section, by Committee on Taxation.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6017**—

By Representative Christmann

A RESOLUTION designating March 11-17, 2013, as "Multiple Sclerosis Awareness Week."

WHEREAS, Multiple Sclerosis interrupts the flow of information between the brain and the body and stops people from moving. It is an unpredictable, often disabling disease of the central nervous system, and every hour in the United States someone is newly diagnosed; and

WHEREAS, The Mid America Chapter of the National Multiple Sclerosis (MS) Society reports that MS affects an estimated 2.5 million people worldwide, 400,000 nationwide and over 4,400 Kansans; and

WHEREAS, Often first diagnosed in individuals aged 20-50, attacking them in the prime of their lives, MS is the most common neurological disease leading to disability in young adults; and

WHEREAS, The symptoms of MS range from numbness and tingling to blindness and paralysis. The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are moving us closer to a world free of MS; and

WHEREAS, The Mid America Chapter of the National MS Society has been committed to mobilize people throughout Kansas who want to assist those afflicted with MS; and

WHEREAS, "Walk MS" events are scheduled this spring in Emporia, Garden City, Kansas City, Hays, Hiawatha, Hutchinson, Lawrence, Manhattan, Neodesha, Salina, Topeka and Wichita; and

WHEREAS, The mission of the National Multiple Sclerosis Society is to mobilize people and resources to drive research for a cure and to address the challenges of everyone affected by MS: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we declare March 11-17, 2013, as "Multiple Sclerosis Awareness Week." We recognize the importance of moving closer to a world free of multiple sclerosis and express appreciation to the Mid America Chapter of the National MS Society for its work; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide five enrolled copies of this resolution to Representative Christmann.

On motion of Rep. Vickrey, the House resolved into the 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 committee reports to **HB 2182** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2285** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **SB 27** be amended on page 1, in line 21, after "discharge" by inserting "or under honorable conditions (general) discharge"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Commerce, Labor and Economic Development on March 12.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, March 13, 2013.

Journal of the House

THIRTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 13, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.

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

Rep. Seiwert was excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious Heavenly Father,
As I come before You today on behalf of this body,
remind each one that all power and authority
ultimately comes from You.
We do not wield our own power,
but are stewards in whom You have entrusted
with power and authority.
Keep us accountable of that trust.
I pray for guidance in the matters at hand
and ask that You make it clear
how they all can conduct their work
with a spirit of joy and enthusiasm.
Give them the desire to find ways
in which they can excel in their work.
Help them to work together and encourage one another.
Help them to challenge one another to
do the best they can to work together as a team.
Please be with the family of Sally Bottorff
who passed away yesterday. Please bring
comfort, grace, strength and peace to them
in these days of their great loss.
Honor these requests so that all that is accomplished
may bring glory to Your Name.
In Christ I pray, Amen.

The Pledge of Allegiance was led by Rep. Howell.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Meier and O'Brien are spread upon the Journal:

Remarks by Rep. Meier:

Today we have two groups from Leavenworth County here in the Capitol to learn what State Government and the Legislature is all about. They are sponsored by the Leavenworth/Lansing, Basehor and Tonganoxie Chambers of Commerce.

They formed as classes last fall and have been studying local history, the local economy, the legal and legislative systems, health and social service agencies, civic and community groups, education programs and technology ever since.

The Classes were originally started in 1985 and 1990 when local government, schools, and community based organizations had difficulty in filling positions on committees, boards of directors and other responsible organizations that rely on citizen input and participation to make decisions for the benefit of the community as a whole. It was determined that many citizens were reluctant to volunteer because of lack of familiarity with the issues and organizations and a feeling that they were not prepared or qualified to participate in deciding community issues.

Remarks by Rep. O'Brien:

Graduates have included mayors, city administrators, city council members, librarians, police officers, firefighters, local business owners and their employees, homemakers and students. The goal is to prepare interested community citizens for positions of leadership in civic, educational and governmental organizations. The programs also encourage inter-community networking and foster healthy business relationships.

My fellow Representatives, please help me welcome the 2013 Leavenworth/Lansing and Southern Leavenworth County Leadership Classes to the House. They are in the gallery above.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **HB 2399**.

CORRECTION OF REFERENCE

Speaker Merrick announced **HB 2400** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Taxation, should be corrected to be referred to Committee on Education.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2391** from Committee on Appropriations and referral to Committee on Education Budget.

Also, the withdrawal of **SB 35** from Committee on Federal and State Affairs and referral to Committee on Energy and Environment.

INTRODUCTION OF ORIGINAL MOTIONS

In accordance with House Rule 1309, Rep. Ward, moved that having not been reported to the House within 10 legislative days after reference to committee, **HR 6006** be withdrawn from Committee on Corrections and Juvenile Justice and be placed as the first measure to be considered on that order of business, General Orders.

(The Chief Clerk of the House of Representatives is requested to read this motion and cause it to be printed in the Calendar of March 14, 2013 under the order of business "Motions and House Resolutions Offered on a Previous Day" as provided by House Rule 1309.)

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Christmann, **HR 6017**, A resolution designating March 11-17, 2013, as "Multiple Sclerosis Awareness Week.," was adopted.

There being no objection, the following remarks of Reps. Christmann and Boldra are spread upon the Journal:

Remarks by Rep. Christmann:

We are here today to acknowledge the estimated 4,400 Kansans diagnosed and living with Multiple Sclerosis.

Of those 4,400 Kansans, I know one quite well.

My wife and high school sweetheart of 20 years is one of those Kansans. One of those Kansans who wakes every day wondering in regards to progression if today is going to be a bad day, or good day, a bad week, or good week, or in some cases the first day of a bad year, or a good one.

I know one Kansan, and Representative Boldra knows one quite well too.

Remarks by Rep. Boldra:

Our youngest daughter, was an avid athlete through high school and college. She graduated from Pepperdine Law School in 2008, was married in 2009, and was diagnosed with MS in 2010.

She has accepted and embraced her condition, and is a proud member of the Mid-American MS advisory board. She has an informational blog called "Optimistic with MS", where she chronicles her personal story and relays information about new treatments and new drugs.

We have an MS walk in Hays April 6 and will be walking in Wichita April 27.

As a family, we walk and bike for MS. We walk to support research and we walk with the hope that a cure will come within her life time.

Every hour of every day, someone in America is diagnosed with MS. There is no known cause and no known cure.

Additional remarks by Rep. Christmann:

MS destroys the connections of the mind, divides minds from bodies, pulls people from their lives and away from one another. Therefore, it is only fitting that connections would also be MS's greatest enemy.

The connections formed during MS Awareness week will most importantly one day forge the way to a cure and will also allow all these singular Kansans to find pathways

to others to form that one thing that MS dreads the most... connections.

Connections within the mind and between Kansans.

I would also like to take this time to recognize a remarkable young lady by the name of Annie Lackey. Annie is credited with being one of National MS Societies top local fundraisers and is known for her sacrifices in her personal life while heading up MS support groups, in turn helping others with MS cope when hope seems most dim.

The Kansas House of Representatives hereby thanks the National Multiple Sclerosis Society and Annie Lackey as well as recognizes the strength, courage, passion and endurance of the 4,400 Kansans living.

Reps. Christmann and Boldra presented a framed House certificate to Annie Lackey.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2182, AN ACT concerning crimes, punishment, and criminal procedure; relating to grand juries; amending K.S.A. 22-3002 and 22-3006 and K.S.A. 2012 Supp. 22-3001, 22-3008 and 43-107 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, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeyes, Clayton, Corbet, Crum, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Nays: Alcala, Ballard, Bridges, Burroughs, Carlin, Davis, Finney, Henderson, Houston, Kuether, Lane, Lusk, Menghini, Perry, Ruiz, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Concannon.

The bill passed, as amended.

On motion of Rep. Vickrey, 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 2052** be adopted; and the bill be passed as amended.

Committee report to **HB 2055** be adopted; also, on motion of Rep. Howell be amended on page 8, in line 13, by striking all after "(a)"; in line 14, by striking

"amendments thereto,";

On page 11, following line 4, by inserting:

"(i) The provisions of this section shall be subject to the provisions of section 1, and amendments thereto.";

Also, on further motion of Rep. Howell, **HB 2055** be amended on page 1, in line 24, by striking "crime" and inserting "violation of the personal and family protection act";

Also, on motion of Rep. Barker to amend **HB 2055**, the motion did not prevail. Also, on motion of Rep. Rothlisberg to amend, the motion did not prevail.

Also, on motion of Rep. Weber, **HB 2055** be amended on page 2, in line 19, after "thereto," by inserting "of a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, or of an indigent health care clinic as defined by K.S.A. 2012 Supp. 65-7402, and amendments thereto,";

Also, on motion of Rep. Hill, **HB 2055** be amended on page 2, in line 26, after "institution" by inserting ", including any buildings located on the grounds of such institution and any buildings leased by such institution,";

Also, on motion of Rep. Wilson, **HB 2055** be amended on page 3, in line 6, after "(5)" by inserting "(A)"; following line 10, by inserting:

"(B) The term "state or municipal building" shall not include the state capitol.";

Also on page 3, following line 14, by inserting:

"New Sec. 2. (a) A license issued under K.S.A. 75-7c01 et seq., and amendments thereto, shall authorize the licensee to carry a concealed handgun in the state capitol in accordance with the provisions of K.S.A. 75-7c01 et seq., and amendments thereto.

(b) This section shall be a part of and supplemental to the personal and family protection act.";

And by renumbering remaining sections accordingly;

Also on page 3, in line 24, after "building" by inserting ", except for the state capitol,";

On page 5, in line 4, by striking all after "means"; in line 5, by striking all before the period and inserting "the Docking, Landon, Curtis and Eisenhower state office buildings, memorial hall and the Kansas judicial center";

On page 8, in line 27, after "office" by inserting ", except as provided in section 2, and amendments thereto";

On page 9, in line 23, after "(c)" by inserting "Subject to section 2, and amendments thereto,";

Also, on motion of Rep. Menghini to amend **HB 2055**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Perry to amend **HB 2055** on page 2, in line 16, after the period by inserting "The exemption provided by this subsection may be renewed for additional four-year periods by submitting an application for such renewal to the Kansas attorney general at least 30 days prior to the expiration of the immediately preceding four-year period. The attorney general shall review the application and shall grant or deny the renewal application within 30 days of receipt of such application. If the renewal application is denied the attorney general shall state the reasons therefor when notifying the applicant of the attorney general's decision."; in line 22, after the period by inserting "The exemption provided by this subsection may be renewed for additional four-year periods by submitting an application for such renewal to the Kansas attorney general at least 30 days prior to the expiration of the immediately preceding four-year period. The attorney general shall review the application and shall

grant or deny the renewal application within 30 days of receipt of such application. If the renewal application is denied the attorney general shall state the reasons therefor when notifying the applicant of the attorney general's decision."; in line 28, after the period by inserting "The exemption provided by this subsection may be renewed for additional four-year periods by submitting an application for such renewal to the Kansas attorney general at least 30 days prior to the expiration of the immediately preceding four-year period. The attorney general shall review the application and shall grant or deny the renewal application within 30 days of receipt of such application. If the renewal application is denied the attorney general shall state the reasons therefor when notifying the applicant of the attorney general's decision.";

On roll call, the vote was: Yeas 42; Nays 75; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Houston, Jennings, Kuether, Lane, Lusk, Menghini, Moxley, Perry, Phillips, Rooker, Ruiz, Schroeder, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Schwartz, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Present but not voting: None.

Absent or not voting: Bruchman, Concannon, Frownfelter, Johnson, Meier, Pauls, Peterson, Seiwert.

The motion of Rep. Perry did not prevail.

Also, on motion of Rep. Winn, **HB 2055** be amended on page 2, following line 32, by inserting:

"(k) The provisions of this section shall not apply to any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind.";

And by redesignating remaining subsections accordingly; and **HB 2055** be passed as amended.

Committee report to **HB 2199** be adopted; also, on motion of Rep. Becker to amend, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 56** be amended on page 1, in line 8, before "Any" by inserting "(a)"; also in line 8, after "association" by inserting "or livestock show association"; in line 10, after "association" by inserting "or livestock show association"; in line 12, after "association" by inserting "or livestock show association"; following line 12, by inserting:

"(b) Prior to January 1, 2014, the secretary of agriculture shall notify the board of

county commissioners of any county in which the secretary of agriculture has recognized an official county fair association.";

Also on page 1, in line 18, by striking "_____ " and inserting "official"; also in line 18, after "association" by inserting "of such county"; in line 19, by striking the first "the" and inserting "such"; in line 33, by striking "by whatever"; in line 34, by striking "name now recognized by the"; also in line 34, by striking "board of county"; in line 35, by striking "commissioners";

On page 3, in line 4, by striking "a" and inserting "an officially recognized"; also in line 4, by striking "officially recognized by the"; in line 5, by striking "board of county commissioners"; in line 6, after "association" by inserting a comma; in line 41, by striking all after "recognition"; in line 42, by striking "commissioners";

On page 4, in line 26, by striking "a" and inserting "an officially recognized"; also in line 26, by striking "officially recognized by the"; in line 27, by striking "board of county commissioners";

On page 5, in line 8, by striking "a" and inserting "an officially recognized"; also in line 8, by striking "officially recognized by"; in line 9, by striking all before the comma;

On page 6, in line 5, after "no" by inserting "officially recognized"; also in line 5, by striking "recognized by the"; in line 6, by striking "board of county commissioners"; in line 7, by striking "board of county commissioners"; in line 22, by striking all after "recognition"; in line 23, by striking "commissioners";

On page 7, in line 1, by striking "by the"; in line 2, by striking "board of county commissioners"; in line 9, after "including" by inserting "official"; also in line 9, by striking "by the"; in line 10, by striking "board of county commissioners"; in line 21, after "war," by inserting "officially recognized"; in line 22, by striking all after the comma; in line 23, by striking "county commissioners"; by striking all in lines 34 through 43;

By striking all on page 8;

On page 9, by striking all in lines 1 through 13; in line 26, by striking "by the secretary of"; in line 27, by striking "agriculture or the board of county commissioners"; in line 28, after "fair" by inserting a comma; in line 43, by striking the sixth comma and inserting "and"; also in line 43, by striking "and 2-158";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking the eighth comma and inserting "and"; in line 5, by striking "and 2-158"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 168** be amended on page 2, in line 41, after "the" by inserting "

(1)";

Also in line 42, after "commodities" by inserting "; or

(2) retail sale of agricultural products, the majority of which are raised, grown or processed on the farmland"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2094** be amended on page 1, in line 30, after "proceeding;" by inserting "and"; in line 35, after "institution;" by inserting "or"; in line 36, by striking the semicolon;

On page 2, by striking all in lines 1 through 11; and in line 12, by striking all before the period; and the bill be passed as amended.

Committee on **Education** recommends **SB 128** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2012 Supp. 72-4484 is hereby amended to read as follows: 72-4484. The provisions of K.S.A. 2012 Supp. 72-4481, 72-4482 and 72-4483, and amendments thereto, shall expire on June 30, ~~2014~~ 2017.";

Also on page 1, in line 6, by striking "Section 1." and inserting "Sec. 2."; in line 24, after "under" by inserting "this"; also in line 24, by striking "(b)(2)"; in line 25, after "with" by inserting "this"; also in line 25, by striking "(b)(2)";

And by renumbering sections accordingly;

On page 4, in line 1, after "Supp." by inserting "72-4484 and"; also in line 1, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "the"; also in line 1, by striking "incentive program"; in line 2, after "Supp." by inserting "72-4484 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Energy and Environment** recommends **SB 62** 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 **Judiciary** recommends **HB 2166** be amended by substituting a new bill to be designated as "House Substitute for HOUSE BILL NO. 2166," as follows:

"House Substitute for HOUSE BILL NO. 2166

By Committee on Judiciary

"AN ACT concerning social welfare; relating to the medical assistance recovery program; amending K.S.A. 39-702 and 58-3957 and K.S.A. 2012 Supp. 28-115 and 39-709 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 **SB 84** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 84," as follows:

"HOUSE Substitute for SENATE BILL NO. 84

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax rates, adjustment, procedure and requirements; income tax deductions; distribution of sales tax revenues; amending K.S.A. 2012 Supp. 79-32,110, 79-32,120, 79-3620 and 79-3710 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 84** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **SB 69** be passed.

Committee on **Transportation and Public Safety Budget** recommends **HB 2137** be amended on page 2, following line 41, by inserting:

"(4) The T-works surcharge collected and remitted to the secretary of revenue shall be remitted to the state treasurer who shall credit such \$4 to the state highway fund. The provisions of this subsection shall expire on January 1, 2021.

Sec. 2. K.S.A. 2012 Supp. 75-5160 is hereby amended to read as follows: 75-5160.

(a) In addition to any registration fee prescribed under article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, all applicants for vehicle registration shall pay at the time of registration a nonrefundable ~~division of vehicles modernization~~ T-works surcharge in the amount of \$4 for each vehicle being registered.

(b) ~~Until January 1, 2013, the provisions of this section shall not apply to vehicles registered under K.S.A. 8-1,100 through 8-1,123 and K.S.A. 2012 Supp. 8-1,123a, and amendments thereto. On and after January 1, 2013, the provisions of this section shall apply to such vehicles. The provisions of this section shall expire on January 1, 2021.~~";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "vehicle modernization" and inserting "T-works"; in line 2, after "8-145" by inserting "and 75-5160"; in line 3, by striking all following "existing"; in line 4, by striking "75-5160" and inserting "sections"; 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 2401, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-1115, 25-2003, 25-2004, 25-2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-2021, 25-2022, 25-2022a, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419 and 72-7901 and K.S.A. 2012 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2021, 25-2102, 25-2108a, 25-2110, 25-2311 and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 25-2003, 25-2005, 71-1404, 71-1405, 71-1406, 71-1407, 71-1409, 71-1410, 71-1411, 72-8001, 72-8002, 72-8003, 72-8004, 72-8005, 72-8006, 72-8007, 72-8008 and 72-8009 and K.S.A. 2012 Supp. 25-2110a, by Committee on Federal and State Affairs.

HB 2402, AN ACT concerning days of commemoration; relating to the national day of the cowboy, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2395** from Committee on Insurance and referral to Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Kuether to replace Rep. Frownfelter on Committee on Commerce, Labor and Economic Development for March 13.

REPORT ON ENGROSSED BILLS

HB 2182 reported correctly engrossed March 12, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 14, 2013.

Journal of the House

FORTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 14, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Reps. Grosserode and Seiwert were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Danny Payne, pastor, Vista Baptist Church, Olathe, and guest of Rep. Dove:

(A prayer by Ken Gire)

Lord,

I want to be smart, popular, and respected. I want to be good-looking, athletically built, and stylishly dressed. I want life to be good, work to be fulfilling, and relationships to be fun. I want to be happy and healthy and rich. I want to have those things now. And I want to hold on to them forever. Amen.

Those are my beatitudes, Lord, if I'm being honest with you.

But if I'm being honest with myself, I know that none of those things will make me happy. Not for long anyway. And certainly not forever.

When I put all those qualities together, I get a composite of someone in the movies or on the cover of a magazine. I get a celebrity. I don't get Christ. But Christ is what I want. In my heart of hearts, he is what I really want to be like. His thoughts are what I want to think. His emotions are what I want to feel. His life is what I want to live. I want to be strong like him, wise like him, compassionate like him.

I want Jesus to be the person I model my life after.

Thank you, Father, that you want that too. That being conformed to his image is the glory you have predestined me for. It is glory of a great work of art. Help me to settle for nothing less. No matter how painful the process of crafting his character into my life, no matter how loudly I object to your workmanship, or how often, keep working, Lord. Keep working...

The Pledge of Allegiance was led by Rep. Ballard.

SPECIAL PRESENTATION

In recognition of St. Patrick's Day this coming Sunday, former Senator Richard Gannon played a combination of *My Home* and *The Mist Covered Mountains* on the bagpipes.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2402**.

Elections: **HB 2401**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 117** from Committee on Appropriations and referral to Committee on Pensions and Benefits.

MESSAGE FROM THE SENATE

Announcing passage of **SB 45**.

Also, announcing passage of **HB 2006, HB 2013, HB 2019, HB 2066**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 45.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6018**, by Reps. Merrick and Davis, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6018**—

A RESOLUTION congratulating and commending Mary Ann Torrence, Revisor of Statutes, on her retirement.

WHEREAS, After 39 years of service to the Kansas legislature, Mary Ann Torrence is retiring from the Office of Revisor of Statutes on March 16, 2013; and

WHEREAS, Mary was born on January 3, 1948 in Topeka, Kansas to Elon and Lois "Polly" Torrence; and

WHEREAS, Mary grew up in Topeka and graduated from Topeka High School in 1966; and

WHEREAS, Mary attended the University of Kansas and majored in political science and American studies. She graduated with her bachelor of science degree in 1971; and

WHEREAS, Mary earned her juris doctor degree from the University of Kansas school of law in 1974; and

WHEREAS, Mary began her legal career in 1974 as an assistant revisor in the Office of Revisor of Statutes; and

WHEREAS, In 2006, after 32 years working in the Office of Revisor of Statutes, Mary was appointed to serve as the Revisor of Statutes by the legislative coordinating council. She is the eighth person, first woman and first KU graduate to serve as Revisor

in the history of the office; and

WHEREAS, Mary married Steve Tallen on November 24, 1983. They have two children, Aaron Tallen and Holly Rohleder. They also have four grandchildren, Kamryn, Preston, Paige and Alex; and

WHEREAS, Mary is a great champion of the mentor program in the Office of Revisor of Statutes. The program has provided new attorneys a source of experience and institutional knowledge to learn the ins and outs of the unique nature of being a revisor; and

WHEREAS, Mary is known as a thoughtful and compassionate person with a big heart. She is always willing to put aside her own work to help a colleague in need. She is also quick to sit in on any committee regardless of the subject matter; and

WHEREAS, Mary is full of life. She loves to eat, drink and travel, especially in the good company of her dogs, her family and her friends: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate, commend and thank Mary Ann Torrence for her long, successful career serving the legislature in the Office of Revisor of Statutes. We wish her all the best in her retirement; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send one enrolled copy of this resolution to 4112 SW Lincolnshire Road, Topeka, Kansas 66610 and one enrolled copy to the Office of Revisor of Statutes.

Rep. Davis recognized Mary Torrence and the House members honored her with a standing ovation.

MOTIONS AND RESOLUTION OFFERED ON A PREVIOUS DAY

The motion of Rep. Ward, in accordance with subsection (b) of House Rule 1309, that **HR 6006** be withdrawn from Committee on Corrections and Juvenile Justice and be placed on the calendar under the first order of business General Orders, was considered.

Roll call was demanded.

On roll call, the vote was: Yeas 35; Nays 86; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Doll, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Bruchman, Grosserode, Jennings, Seiwert.

Not having received the required 70 votes, the motion did not prevail.

CONSENT CALENDAR

No objection was made to **SB 62** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2052, AN ACT concerning firearms; creating the crime of unlawful discharge of a firearm, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Clayton, Rooker.

Present but not voting: None.

Absent or not voting: Grosserode, Seiwert.

The bill passed, as amended.

HB 2055, AN ACT concerning the personal and family protection act; amending K.S.A. 2012 Supp. 21-6309, 75-7c05, 75-7c10 and 75-7c17 and repealing the existing sections, 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: Alcalá, Alford, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Weigel, Whipple.

Nays: Ballard, Barker, Becker, Bideau, Bollier, Bridges, Carlin, Clayton, Crum, Davis, Dierks, Dillmore, Doll, Finney, Henderson, Hill, Hineman, Houston, Kelly,

Kuether, Lusk, Moxley, Perry, Peterson, Phillips, Rooker, Ruiz, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grosserode, Schroeder, Seiwert.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I am a life member of NRA, a hunter safety instructor, shotgun merit badge counselor and have held a Federal Firearm license. This is a good bill in concept, but failure to exempt our District Court facility in Chanute and amendments to allow concealed carry in the Statehouse are severe problems. I am voting no on **HB 2055** because of these problems. I hope they are addressed in the Senate so that I can support it in a conference committee report. – ED BIDEAU

MR. SPEAKER: Most legislators get mad when the federal government coerces and makes costly mandates upon the taxpayers of Kansas. This bill is sold as a second amendment bill. But it is not about guns, it is about unfunded mandates, the erosion of local control and the state acting like the federal government and imposing its will on local governments. That is what the state is proposing to do with this bill. As many of you, I live by the mantra that the best government is that which is closest to the people. **HB 2055** violates that principle so I vote no. – TOM MOXLEY, DON HINEMAN

MR. SPEAKER: In voting this legislation we face a difficult choice between freedom and safety. The same choice was faced when our current concealed carry law was passed in 2006. Some proponents of this will only be satisfied when we allow lawful individuals to carry anywhere all of the time, others fear federal government is coming after our guns. Let us take a deep breath and use some common sense. Current law works well and strikes a responsible balance. It has appropriate limits in the interest of safety as determined by local leaders. I support current statute and vote no on **HB 2055**. – DON HILL, STEPHANIE CLAYTON, MELISSA ROOKER

MR. SPEAKER: I vote No on **HB 2055**. As one who voted for the original Personal and Family Protection Act bill, I support the right of responsible, trained citizens to carry concealed weapons for personal protection. The original statute permits property owners to determine whether concealed weapons are permitted on their premises. **HB 2055** abolishes this local control over public buildings, substituting the desire of the legislative majority for the will of locally elected and locally responsible officials. This is the same heavy handed “we know best” action many legislators claim is used by the federal government through the passage of “Obamacare.” – TOM SLOAN

MR. SPEAKER: I am a strong supporter of firearm rights and this is a good bill in concept but failure to exempt court facilities outside of the courthouse itself and the amendment which will allow concealed carry in the Statehouse are severe problems. I am voting no on **HB 2055** because of these problems and I hope that they will be corrected so that I can support it in the future. – JOHN BARKER

HB 2199, AN ACT enacting the second amendment protection act, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 29; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Garber, Goico, Gonzalez, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Nays: Ballard, Becker, Bollier, Bridges, Carlin, Clayton, Davis, Dillmore, Finney, Gandhi, Grant, Henderson, Houston, Kueher, Lusk, Perry, Peterson, Rooker, Ruiz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grosserode, Seiwert.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Although I am a supporter of the Second Amendment, I cannot support **HB 2199**. As the Assistant Attorney General stated, we “should be mindful upon legal limits that restrict the ability of states to restrict the actions of the federal government and also upon potential financial risks that could arise in litigation.” The Supremacy Clause cannot be waived by state law, and any conflict between a valid federal law and state law will be resolved in favor of the federal enactment. Because of constitutionality concerns and potential for great financial cost to the state, I vote no on **HB 2199**. — EMILY PERRY, JOHN WILSON, KATHY WOLFE MOORE

MR. SPEAKER: I vote No on **HB 2199**. Supposedly strong on the 2nd amendment, but it's soft on crime. This bill is relevant only in a very bleak scenario. It is unconstitutional. The state will have expensive litigation for little purpose.

With the advent of 3-D printers, enabling any terrorist or criminal to make weapons at home from commonly available materials, why would we want to make all guns made in Kansas free from federal regulation?

Federal law enforcement is necessary to prevent criminals and terrorists from being able to print weapons of their choice in the numbers they desire, all within the privacy of their homes. — NANCY LUSK

MR. SPEAKER: I vote yes for **HB 2199** today to join with those who wish to make a strong statement about the importance of protecting Second Amendment freedoms and opposing needless federal intrusion. However, I have grave concerns about the content of the bill and the constitutional challenges it creates. I supported an attempt to amend the bill to address the greatest of these concerns, but that was not successful. As this is

the only bill available to demonstrate my commitment to the about principles, I vote yes. – BLAINE FINCH, J. RUSSELL JENNINGS

MR. SPEAKER: I vote No on **HB 2199**. As the owner and responsible user of firearms, I believe in the right of law abiding citizens to bear arms. Deliberately electing to pit state and federal law enforcement officers in a Constitutional “battle” does nothing to protect citizen rights. Instead it detracts from the legitimate discussion of public safety, personal responsibility, and the appropriate role of government. – TOM SLOAN

MR. SPEAKER: This bill, **HB 2199**, is not about protecting 2nd amendment rights. It is about the post card that will come forward in the next election. I still think (though I am not an attorney) that this bill is not constitutional. You can't trump federal law. Be that as it may, let the post cards come. I vote no on **HB 2199**. – ROBERT “BOB” GRANT

MR. SPEAKER: I vote yes on **HB 2199**. **HB 2199** expresses principles of federalism, especially anti-commandeering, well grounded in law, with which I agree. However, I caution my conservative friends that this and similar bills in other areas run the risk of breeding cynicism among a core constituency by over-promising and under-delivering on the likely legal effect of such legislation.

Respect for the rule of law is among the most precious gifts conveyed to us by prior generation. That respect is closely tied to confidence in the legitimacy of the democratic process. We should be circumspect in raising expectations, which when unmet, might undermine confidence in that process. – LANCE KINZER

MR. SPEAKER: The Second Amendment is alive and well. We see no need for **HB 2199**. Additionally, the Supremacy Clause cannot be waived by state law. Any conflict between a valid federal law and state law will be resolved in favor of the federal enactment. The Assistant Attorney General stated in testimony, we “should be mindful upon legal limits that restrict the ability of states to restrict the actions of the federal government and also upon potential financial risks that could arise in litigation.” Because of constitutionality concerns and potential for great financial cost to the state, we vote no on **HB 2199**. – MELISSA ROOKER, BARBARA BOLLIER, STEPHANIE CLAYTON

On motion of Rep. Vickrey, 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 **HB 2135**, **HB 2058**, **HB 2086** be passed.

Committee report to **HB 2042** be adopted; and the bill be passed as amended.

Committee report to **HB 2091** be adopted; also, on motion of Rep. Ballard to amend, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 21** be passed.

Committee on **Federal and State Affairs** recommends **Substitute for SB 36** be amended on page 8, following line 38, by inserting:

"Sec. 6. K.S.A. 2012 Supp. 41-308d is hereby amended to read as follows: 41-

308d. (a) Notwithstanding any other provisions of the Kansas liquor control act to the contrary, any person or entity who is licensed to sell alcoholic liquor in the original package at retail may conduct wine, beer and distilled spirit tastings on the licensed premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, as follows:

(1) Wine, beer and spirits for the tastings shall come from the inventory of the licensee. Except as provided by paragraph (2), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(2) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a retail licensee's premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch, or pour alcoholic beverages, make a presentation, or answer questions at the tasting. Any alcoholic beverage tasted under this subsection must be purchased from the retailer on whose premises the tasting is held. The retailer may not require the purchase of more alcoholic beverages than are necessary for the tasting. This section does not authorize the supplier or its agent to withdraw or purchase an alcoholic beverage from the holder of a distributor's permit or provide an alcoholic beverage for tasting on a retailer's premises that is not purchased from the retailer.

(3) No charge of any sort may be made for a sample serving.

(4) A person may be served more than one sample. Samples may not be served to a minor. No samples may be removed from the licensed premises.

(5) The act of providing samples to consumers shall be exempt from the requirement of holding a Kansas food service dealer license from the department of agriculture under the provisions of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(b) Nothing in this section shall be construed to permit the licensee to sell wine, malt beverages or distilled spirits for on-premises consumption.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(d) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(e) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 7. K.S.A. 41-713 is hereby amended to read as follows: 41-713. (a) It shall be unlawful for a retailer of alcoholic liquor:

(1) To permit any person to mix drinks in or on the licensed premises, except as provided in subsection (b);

(2) to employ any person under the age of ~~twenty-one (21)~~ 21 years in connection with the operation of such retail establishment; or

(3) to employ any person in connection with the operation of such retail establishment who has been adjudged guilty of a felony.

(b) The provisions of subsection (a)(1) shall not apply to the preparation or mixing of samples for the purposes of conducting wine, beer, or distilled spirit tastings, or any combination thereof, as authorized by K.S.A. 2012 Supp. 41-308d, and amendments.

thereto.

Sec. 8. K.S.A. 2012 Supp. 41-354 is hereby amended to read as follows: 41-354. (a) A microdistillery license shall allow:

(1) The manufacture of not more than 50,000 gallons of spirits per year and the storage thereof;

(2) the sale to spirit distributors of spirits, manufactured by the licensee;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of spirits 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 spirits manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of spirits and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of spirits and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microdistillery licensee, the director may issue not to exceed one microdistillery packaging and warehousing facility license to the microdistillery licensee. A microdistillery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microdistillery to the licensed premises of the microdistillery packaging and warehousing facility, of spirits manufactured by the licensee, for the purpose of packaging or storage, or both;

(2) the transfer, from the licensed premises of the microdistillery packaging and warehousing facility to the licensed premises of the microdistillery, of spirits manufactured by the licensee; or

(3) the removal from the licensed premises of the microdistillery packaging and warehousing facility of spirits manufactured by the licensee for the purpose of delivery to a licensed spirits wholesaler.

(c) A microdistillery may sell spirits 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 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microdistillery may serve samples of spirits and serve and sell spirits 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.

(d) The director may issue to the Kansas state fair or any bona fide group of distillers a permit to import into this state small quantities of spirits. Such spirits shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such spirits 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 spirit to be imported, the quantity to be imported, the tasting programs for which the spirit is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of spirits pursuant to this subsection and the

conduct of tasting programs for which such spirits are imported.

(e) A microdistillery license or microdistillery packaging and warehousing facility 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.

(f) No microdistillery 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-premises 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.

(g) Whenever a microdistillery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

(h) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(i) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(j) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 9. K.S.A. 2012 Supp. 41-2655 is hereby amended to read as follows: 41-2655.

(a) A license for a public venue shall allow the licensee to:

(1) Offer for sale, sell and serve alcoholic liquor by the individual drink for consumption on the licensed premises;

(2) offer for sale, sell and serve unlimited drinks for a fixed price in designated areas of the licensed premises;

(3) offer for sale and sell all inclusive packages which include unlimited drinks in designated areas of the licensed premises;

(4) offer for sale, sell and serve alcoholic liquor in the original container for consumption on the licensed premises in private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier;

(5) store, in each private suite, which ~~are~~ is enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier, alcoholic liquor sold in the original container to a customer in that private suite; and

(6) with the approval of the retailer or distributor, return for a full refund of the original purchase price unopened containers of alcoholic liquor to the retailer or distributor from whom such items were purchased upon the conclusion of an event if the next scheduled event for that premises is more than 90 days from the date of the concluded event.

(b) An applicant or public venue licensee shall specify in the application for a license, or renewal of a license, the premises to be licensed. No public venue licensee

may offer for sale, sell or serve any alcoholic liquor in any area not included in the licensed premises.

(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.

(e) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(f) This section shall be a part of and supplemental to the club and drinking establishment act.

Sec. 10. K.S.A. 41-2610 is hereby amended to read as follows: 41-2610. It shall be unlawful for any licensee or holder of a temporary permit under this act to:

(a) Employ any person under the age of 18 years in connection with the serving of alcoholic liquor.

(b) Employ knowingly or continue in employment any person in connection with the dispensing or serving of alcoholic liquor or the mixing of drinks containing alcoholic liquor who has been adjudged guilty of a felony or of any crime involving a morals charge in this or any other state, or of the United States.

(c) Employ knowingly or to continue in employment any person in connection with the dispensing or serving of alcoholic liquor or mixing of drinks containing alcoholic liquor who has been adjudged guilty of a violation of any intoxicating liquor law of this or any other state, or of the United States, during the two-year period immediately following such adjudging. Knowingly employ or continue to employ any person in connection with the dispensing or serving of alcoholic liquor, or the mixing of drinks containing alcoholic liquor, who has been adjudged guilty of two or more violations of K.S.A. 2012 Supp. 21-5607, and amendments thereto, furnishing alcoholic liquor to minors or a similar law of any other state, or of the United States, pertaining to furnishing alcoholic liquor to minors within the immediately preceding five years, or who has been adjudged guilty of three or more violations of any intoxicating liquor law of this or any other state, or of the United States, not involving the furnishing of alcoholic liquor to minors within the immediately preceding five years.

(d) In the case of a club, fail to maintain at the licensed premises a current list of all members and their residence addresses or refuse to allow the director, any of the director's authorized agents or any law enforcement officer to inspect such list.

(e) Purchase alcoholic liquor from any person except from a person authorized by law to sell such alcoholic liquor to such licensee or permit holder.

(f) Permit any employee of the licensee or permit holder who is under the age of 21 years to work on premises where alcoholic liquor is sold by such licensee or permit holder at any time when not under the on-premises supervision of either the licensee or permit holder, or an employee who is 21 years of age or over.

(g) Employ any person under 21 years of age in connection with the mixing or dispensing of drinks containing alcoholic liquor.;"

And by renumbering sections accordingly;

On page 10, in line 2, after "9." by inserting "K.S.A. 41-713 and 41-2610 and"; also

in line 2, after "Supp." by inserting "41-308d, 41-354,"; in line 3, after "2642" by inserting ", 41-2655";

On page 1, in the title, in line 1, by striking "clubs and drinking"; in line 2, by striking "establishments; permitting"; in line 2, after "amending" by inserting "K.S.A. 41-713 and 41-2610 and"; in line 3, after "Supp." by inserting "41-308d, 41-354,"; also in line 3, after "41-2642" by inserting ", 41-2655"; and the bill be passed as amended.

Committee on **General Government Budget** recommends **SB 102** be amended on page 1, following line 17, by inserting:

"Sec. 2. K.S.A. 75-3727a is hereby amended to read as follows: 75-3727a. (a) There is hereby established within and as a part of the department of administration, a division of accounts and reports, the head of which shall be the director of accounts and reports. Under the supervision of the secretary of administration, the director of accounts and reports shall administer the division of accounts and reports. The director of accounts and reports shall be in the unclassified service under the Kansas civil service act and shall be appointed by the secretary of administration.

(b) On and after July 1, 2013, whenever the division of accounts and reports, or words of like effect, are referred to or designated by any statute, rule and regulation, contract or any other document, such reference or designation shall be deemed to apply to the department of administration.

(c) On and after July 1, 2013, whenever the director of accounts and reports, or words of like effect, are referred to or designated by any statute, rule and regulation, contract or any other document, such reference or designation shall be deemed to apply to the secretary of administration or the secretary's designee.";

In line 18, after "K.S.A." by inserting "75-3727a and K.S.A."; also in line 18 by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "K.S.A." by inserting "75-3727a and K.S.A."; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 85** 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 2103** be passed.

REPORT OF STANDING COMMITTEE

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

Request No. 59, by Representative Howell, congratulating Jeremy Cunningham on achieving the rank of Eagle Scout;

Request No. 60, by Representative Howell, congratulating Ian Morris on achieving the rank of Eagle Scout;

Request No. 61, by Representative Howell, congratulating Christian Williams on achieving the rank of Eagle Scout;

Request No. 62, by Representative Howell, congratulating Joshua Lund on achieving the rank of Eagle Scout;

Request No. 63, by Representative Howell, congratulating Dustin McNickle on

achieving the rank of Eagle Scout;

Request No. 64, by Representative Howell, congratulating Christian Tully on achieving the rank of Eagle Scout;

Request No. 65, by Representative Howell, congratulating Alexander Meek on achieving the rank of Eagle Scout;

Request No. 66, by Representative Howell, congratulating Devin Schminke on achieving the rank of Eagle Scout;

Request No. 67, by Representative Alford, congratulating Bill and Sue Tucker on celebrating 55 years of marriage;

Request No. 68, by Representative Mast, congratulating Braxton Butler as a finalist in the 2nd Annual YES for Liberty Constitution Bee;

Request No. 69, by Representative Mast, congratulating Jacob Nicolet as a finalist in the 2nd Annual YES for Liberty Constitution Bee;

Request No. 70, by Representative Sutton, congratulating James David Michael Reddy on achieving the rank of Eagle Scout;

Request No. 71, by Representative Christmann, commending Annie Lackey for her volunteerism with the Multiple Sclerosis Society as a top fundraiser and heading support groups;

Request No. 72, by Representative Highland, commending St. George Elementary Honor Choir and the director, Janet Arnstead, on excellence in music performances and accomplishments;

Request No. 73, by Representative Carlson, congratulating Holton High School Wrestling Team on the Class 4A Tournament Championship for 2012-2013;

Request No. 74, by Representative Carlson, congratulating Holton High School undefeated football team on being the Class 4-A State Champions for 2012-2013;

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. Vickrey, the committee report was adopted

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Mast to replace Rep. Grosserode as a member of Committee on Education for March 14.

Also, the appointment of Rep. Tietze for Rep. Houston as a member of Committee on Education for March 15.

On motion of Rep. Vickrey, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2231** be amended by substituting a

new bill to be designated as “Substitute for HOUSE BILL NO. 2231,” as follows:

“Substitute for HOUSE BILL NO. 2231

By Committee on Appropriations

“AN ACT making and concerning appropriations for fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, 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. 2012 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4227, 79-4804 and 82a-953a and repealing the existing sections.”; and the substitute bill be passed.

(Sub HB 2231 was thereupon introduced and read by title.)

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Hoffman to replace Rep. Grosserode on Committee on Education for March 15.

REPORT ON ENGROSSED BILLS

HB 2052, HB 2055, HB 2199 reported correctly engrossed March 13, 2013.

On motion of Rep. Vickrey, the House adjourned pro forma until 8:00 a.m., Friday, March 15, 2013.

Journal of the House

FORTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 15, 2013, 8:00 a.m.

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Elections: **SB 45**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 42**.

Announcing passage of **HB 2252**.

Announcing passage of **HB 2059**, as amended; **HB 2081**, as amended.

Also, announcing passage of **S Sub for HB 2022**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

SB 42.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Mast announced the appointment of Rep. Tietze to replace Rep. Perry on Committee on Judiciary for March 18.

Also, the appointment of Rep. Wilson to replace Rep. Perry on Committee on Federal and State Affairs for March 18.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, March 18, 2013.

Journal of the House

FORTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 18, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Reps. Montgomery and Osterman were excused on verified illness.

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

Prayer by Chaplain Brubaker:

All wise and knowing God,
our leaders are getting into that time of session
where prolonged debate over crucial topics begin—
topics that tend to bring out the passions
and strong convictions of each individual.
Keep everyone mindful to be open to others' ideas,
respectful of the differences, not threatened by them.
Help them to be a force for replacing fear with insight,
to be patient and kind as they talk.
Remind them that strength can always find compromise,
and working together can find a common ground
to help them move forward with a shared purpose.
Help them to see what is truly important
and unite them on that,
removing road blocks of ego and fear.
And when they get to a point where they
don't know which way to go—
I pray they will ask You for wisdom,
believing You will provide it.
Lord, we ask for Your presence and protection
for Representative Osterman as he faces
open-heart surgery tomorrow.
Please guide the medical team during his surgery.
I ask that all will go well and for a quick recovery.
Be with his family during this time.
Bring strength, courage and assurance to them.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Finch.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and resolution were introduced and read by title:

HB 2403, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance unfunded liability of KPERs; requirements and procedures, by Committee on Appropriations.

On motion of Rep. Petty, **HCR 5015**, as follows, by Representatives Petty, Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn and Wolfe Moore, was introduced and adopted.

HCR 5015, A CONCURRENT RESOLUTION commending the business and philanthropic achievements of native Kansan, David G. Booth.

WHEREAS, The State of Kansas first entered the Union in 1861 with a spirit of perseverance and compassion that has uniquely defined the identity and character of Kansans over the last 150 years; and

WHEREAS, The tradition of this spirit is embodied in the life work of renowned businessman David G. Booth, who was born in Lawrence, Kansas to Gilbert and Betty Booth in 1946; and

WHEREAS, Gilbert and Betty Booth sacrificed greatly to offer their children a better future; and

WHEREAS, After graduating from Lawrence High School, David went on to receive a bachelor's degree in economics and a master's degree in business from the University of Kansas in 1969; and

WHEREAS, His future-oriented thinking led him to become one of the pioneers in index funds while he worked at Wells Fargo, ultimately leading to the establishment of the first Standard and Poor's Composite Index Funds in 1973; and

WHEREAS, His original concepts, problem-solving innovations and ground-breaking work in indexing and small capitalization investing led to a career of innovation and entrepreneurial success; and

WHEREAS, His ability to unite the academics of economic science to the real-world side of investment management has furthered both the state of investment management and the state of portfolio theory; and

WHEREAS, David and his wife Suzanne Deal Booth have also made significant philanthropic contributions to the State of Kansas, including a major contribution to the University of Kansas to create the Booth Family Hall of Athletics, which houses six different exhibit areas attached to Allen Fieldhouse, that allows Jayhawk fans to experience the history and tradition of Kansas Athletics; and

WHEREAS, When Dr. James Naismith's 1891 original 13 rules of basketball went up for sale in 2010, David and his wife Suzanne purchased the rules so that they could be brought back to Kansas and displayed at his alma mater and the school where Dr. Naismith was a coach and educator, the University of Kansas; and

WHEREAS, David G. Booth's development of investment theory has advanced the business world and his contributions to the University of Kansas have brought tremendous pride and enjoyment to Kansans everywhere: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That David G. Booth be congratulated and recognized as one of Kansas' sons who has typified the spirit that first founded this state and the subsequent generations who have led us "To the Stars with Difficulty."

Be it further resolved: That the Secretary of State shall provide an enrolled copy of this resolution to Representative Reid Petty and to David G. Booth.

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

The state of Kansas is known for its basketball. Just yesterday, KU, K-State, and Wichita St. were all selected to the NCAA Tournament. On Saturday KU and K-State played for the Big XII Championship. The inventor and father of basketball James Naismith was KU's first coach. The father of college basketball coaching was Dr. Forrest "Phog" Allen who was KU's second coach. Dr. Naismith may have invented the game in Springfield, Massachusetts, but the game grew up and evolved right here in Kansas. Today we have a special guest in the House chambers with us who is a native Kansan who has given back to the state in many ways to help make people aware of our history and to provide those here a way to celebrate our state's accomplishments. David Booth is a Lawrence High School Graduate who received his bachelors and masters degrees from the University of Kansas. He received his MBA from the University of Chicago where he went on to co-found Dimensional Fund Advisors where he serves as their co-CEO.

David and his wife Suzanne Deal Booth were named by Business Week as number 34 of 2008's 50 Top American Givers. The list recognizes annually the 50 most generous U.S. Philanthropists. They are cited as having donated \$309 million between the years 2004-2008. In 2004 the Booth family gave \$9 million to the University of Kansas to fund the Booth Family Hall of Athletics attached to Allen Fieldhouse.

In 2010 the Booths purchased Dr. James Naismith's 1891 original 13 rules of basketball for \$4.3 million. The purchase kept Duke who wanted them very badly from purchasing them. The purchase price set a world record for sports memorabilia. The purchase of this was featured last October on ESPN's 30 for 30 program "There's No Place Like Home." The Booths plan to donate the original rules to the University of Kansas to display in the near future once KU completes the construction of a special building to display them next to Allen Fieldhouse.

It is an honor on behalf of the House of Representatives to recognize and honor

David Booth for his generosity and all he has given back to the state of Kansas.

The members of the House recognized Mr. Booth with a standing ovation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **SB 42**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6019**—

A RESOLUTION declaring July 27, 2013, as "Joe Tinker Day."

WHEREAS, On July 27, 1880, Joe Tinker was born in Muscotah, in Atchison County, in the State of Kansas; and

WHEREAS, Joe Tinker played 15 seasons in Major League Baseball, including 10 years with the Chicago Cubs in 1902 to 1912; and

WHEREAS, Joe Tinker helped the 1906 Chicago Cubs to an all-time major league best 116-36 record in 1906 and to both the 1907 and 1908 World Series titles, the last time the Cubs were world champions; and

WHEREAS, Joe Tinker, Johnny Evers, and Frank Chance were elected together into the Major League Baseball Hall of Fame in 1946, and after 100 years are still accorded the distinction of being the greatest double play combination to ever play the sport; and

WHEREAS, Joe Tinker, together with Evans and Chance, is forever immortalized in the celebrated 1910 poem "Baseball's Sad Lexicon" by Franklin Pierce Adams; and

WHEREAS, The Citizens of Muscotah and Atchison County continue to honor Joe Tinker into the present day through the World's Largest Baseball and Joe Tinker Field: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we, the City of Muscotah, the County Commissioners of Atchison County, and the House of Representatives of the Great State of Kansas, do hereby proclaim July 27, 2013, as "Joe Tinker Day." All Kansans are encouraged to remember this citizen of Kansas and contemplate the success available to all citizens who set visionary goals for their future; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five copies of this resolution to Representative Garber.

CONSENT CALENDAR

No objection was made to **SB 85** appearing on the Consent Calendar for the first day.

No objection was made to **SB 62** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2042, AN ACT concerning property appraisal and taxation; amending K.S.A. 2012 Supp. 74-2433f, 79-1448, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 109; Nays 12; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Christmann, DeGraaf, Edwards, Esau, Garber, Grosserode, Hildabrand, Howell, Kelley, Kinzer, McPherson, Powell.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Perry, Peterson.

The bill passed, as amended.

HB 2058, 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. 2012 Supp. 79-4216 and repealing the existing sections, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Proehl.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Perry, Peterson.

The bill passed.

HB 2086, AN ACT concerning economic development financing; relating to eligible project costs for tax increment financing and community improvement districts; bond repayment pledge requirements; amending K.S.A. 2012 Supp. 12-6a27, 12-1770a and

12-1774 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 61; Nays 60; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bruchman, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Dierks, Doll, Dove, Ewy, Finch, Gandhi, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Hutton, Jennings, Johnson, Kelly, Kleeb, Lunn, Mast, Merrick, Moxley, O'Brien, Pauls, Petty, Phillips, Proehl, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Thimesch, Tietze, Vickrey, Waymaster, Weber, Wolfe Moore.

Nays: Alcalá, Ballard, Bradford, Bridges, Brunk, Burroughs, Christmann, Davis, DeGraaf, Dillmore, Edmonds, Edwards, Esau, Finney, Frownfelter, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hildabrand, Houser, Houston, Howell, Huebert, Jones, Kahrs, Kelley, Kinzer, Kuether, Lane, Lusk, Macheers, McPherson, Meier, Meigs, Menghini, Peck, Powell, Read, Rubin, Ruiz, Sawyer, Schroeder, Schwab, Sloop, Sutton, Swanson, Todd, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Perry, Peterson.

The bill did not pass.

EXPLANATION OF VOTE

MR. SPEAKER: Tax Increment Financing (TIF) and Community Improvement Districts (CID) 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. TIF and CID are a form of centralized planning that favors a few at the expense of other taxpayers and businesses. These so-called economic tools divert needed money from police, fire, roads, and other core functions of government. I vote NO on **HB 2086**. — MARK KAHRs, VIRGIL PECK, JR., PETE DEGRAAF, AMANDA GROSSERODE, KASHA KELLEY, CRAIG MCPHERSON, JOSH POWELL, MARSHALL CHRISTMANN, JOE EDWARDS, RANDY GARBER, KEITH ESAU, BILL SUTTON, BRETT HILDABRAND, JIM HOWELL

HB 2091, AN ACT concerning delinquent personal property taxes; amending K.S.A. 19-547 and 79-2303 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 40; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Campbell, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Dierks, Dillmore, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Goico, Gonzalez, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Huebert, Hutton, Jennings, Johnson, Jones, Kelly, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Merrick, Moxley, Pauls, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Wolfe Moore.

Nays: Ballard, Brunk, Couture-Lovelady, Carlin, Carpenter, Christmann, Davis,

DeGraaf, Edmonds, Finney, Frownfelter, Garber, Grant, Grosserode, Henry, Hildabrand, Houser, Houston, Howell, Kahrs, Kelley, Kinzer, Kuether, Lane, Meier, Meigs, Menghini, O'Brien, Peck, Powell, Ruiz, Ryckman Jr., Sawyer, Sloop, Sutton, Tietze, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Perry, Peterson.

The bill passed, as amended.

HB 2135, AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2012 Supp. 79-201a and repealing the existing section, 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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carpenter, Hutton, Moxley, Swanson.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Perry, Peterson.

The bill passed.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Schwartz in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Schwartz, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 69** be passed.

Committee report recommending a substitute bill to **Sub HB 2166** be adopted; also, on motion of Rep. Finch, be amended on page 12, in line 12, after "record" by inserting "and transfers for value to a bona fide purchaser of record"; and the substitute bill be passed as amended.

Committee report to **SB 168** be adopted; and the bill be passed as amended.

Committee report to **HB 2094** be adopted; and the bill be passed as amended.

Committee report to **SB 128** be adopted; and the bill be passed as amended.

Committee report to **SB 27** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **Substitute for SB 57** be amended on page 2, in line 11, by striking "this section" and inserting "the provisions of article 21 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto"; in line 13, by striking "cervid" and inserting "deer"; in line 14, by striking "section" and inserting "subsection"; in line 27, by striking "adding to such"; in line 28, by striking "person's herd by"; in line 29, after "(5)" by inserting "the permit holder's"; also in line 29, by striking "to" and inserting "of"; in line 39, by striking "the" and inserting "such"; also in line 39, by striking "herd pursuant to" and inserting "as required by"; also in line 39, after "regulations" by inserting "adopted pursuant to this section"; in line 40, after "(h)" by inserting "(1)"; in line 41, by striking "any premises" and inserting "the premises and records of any person"; in line 42, by striking all after "permit," and inserting "but shall not inspect such premises and records"; in line 43, after "each" by inserting "permit"; also in line 43, after "year" by inserting ", except as provided in subsection (h)(2)"; also in line 43, by striking "Additionally," and inserting: "(2)";

On page 3, in line 1, by striking "may" and inserting "shall"; in line 2, after "often" by inserting ": (A) If the commissioner has discovered a violation of article 21 of chapter 47, and amendments thereto; or (B)"; also in line 2, by striking "is" and inserting "are"; in line 4, after "regulations" by inserting "adopted pursuant to this section"; also in line 4, before the first "The" by inserting: "(3)";

Also in line 5, by striking "also"; in line 6, by striking "or premises"; also in line 6, by striking "required to be licensed" and inserting "violating the provisions of this section"; in line 9, by striking "Additionally," and inserting "(2)"; in line 25, by striking "47-619,";

On page 1, in the title, in line 4, by striking "47-619,"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 120** be amended on page 1, in line 13, by striking "Farmers' market" and inserting "'Farmers' market'"; in line 31, before "may" by inserting "operator";

On page 2, in line 5, by striking "participating" and inserting "buying"; also in line 5, by striking the comma; by striking all in line 6; in line 7, by striking "registered farmers' market. In any" and inserting ". If a participant brings an"; in line 8, by striking "an activity in conjunction with"; in line 9, by striking ", pursuant to this act,"; in line 23, after "injuries" by inserting "or death"; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2377** be passed.

Committee on **Appropriations** recommends **HB 2338** be amended on page 9, in line 7, after "after" by inserting "July 1, 2014, and"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 61** be amended on page 4, following line 12, by inserting:

"(d) This section shall take effect on and after January 1, 2014.";

On page 23, in line 2, by striking the comma and inserting "or"; in line 13, by striking the comma and inserting "or";

On page 24, in line 6, by striking the comma and inserting "or";

On page 27, in line 41, by striking "(h)" and inserting "(i)";

On page 29, in line 42, by striking "(k)(17)" and inserting "(l)(17)";

On page 31, in line 1, after "or" by inserting "subsection (b) of";
 On page 35, in line 40, after "in" by inserting "subsection (b) of";
 On page 38, in line 1, after the first "relations" by inserting "; promoting the sale of sexual relations";
 On page 39, in line 2, by striking "selling" and inserting "the sale of";
 On page 43, in line 42, after "or" by inserting "subsection (b) of";
 On page 51, in line 11, by striking all after "(f)" and inserting "commercial sexual exploitation of a child";
 On page 73, in line 26, by striking "or";
 On page 88, in line 3, after "in" by inserting "subsection (b) of"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 92** be amended on page 1, in line 7, after "(1)" by inserting " "Nudity" means the showing, unclothed or with less than a fully opaque covering, of the human male or female genitals, pubic area, buttocks or female breast below a point immediately above the top of the areola.

(2) ";

Also in line 7, by striking the colon; by striking all in lines 8 through 12; in line 13, by striking all before the period and inserting "sexual devices or books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video presentations, computer-generated images or pictures, slides or other visual representations, whether made or produced by electronic, mechanical or other means, which depict, describe or simulate sexually explicit conduct or nudity.

(3) "Sexually explicit conduct" means acts of masturbation, sexual intercourse, sodomy, sadomasochistic abuse or physical contact with a person's clothed or unclothed genitals, pubic area or buttocks or with a human female's breast";

And by redesignating subsections accordingly;

Also on page 1, in line 16, by striking all after "(b)"; by striking all in lines 17 through 23; in line 24, by striking all before the period and inserting "The Kansas bureau of investigation will work with the office of the attorney general and with state and local law enforcement to identify a process to uniformly report data to the central repository enabling the production of a report generated at least annually to identify the total number of sexually violent crimes reported and the number of such crimes where pornographic materials are seized or documented as evidence. This process shall be in place within one year of the implementation of a capable central repository system";

Also on page 1, in line 27, by striking "On or before January 1, 2014" and inserting "Upon implementation of a central repository system"; following line 34, by inserting:

"(f) The provisions of this section are subject to appropriations."; and the bill be passed as amended.

Committee on **Education** recommends **SB 104** be amended on page 1, in line 4, after "(a)" by inserting "(1)"; in line 8, by striking "subsection" and inserting "paragraph"; following line 10, by inserting:

"(2) Any accredited nonpublic school that provides any minor with access to a computer shall implement and enforce technology protection measures to ensure that no minor has access to visual depictions that are child pornography, harmful to minors or obscene. Each governing body of a nonpublic school shall adopt policies for the enforcement of this paragraph. Such policies and any standards or rules promulgated pursuant to such policies shall be made available to the public.";

On page 2, in line 7, after "district" by inserting ", accredited nonpublic school"; in line 11, after "district" by inserting ", accredited nonpublic school"; following line 12, by inserting:

"(1) "Accredited nonpublic school" means any nonpublic school which offers instruction for kindergarten or any of the grades one through 12 and is accredited by the state board of education;"

And by redesignating remaining paragraphs accordingly; and the bill be passed as amended.

Committee on **Energy and Environment** recommends **HCR 5014** be adopted.

Committee on **Energy and Environment** recommends **HR 6015** be amended on page 1, in line 5, by striking "environmentally friendly,"; in line 6, by striking ""green""; in line 7, by striking all after the first "reduces"; in line 17, by striking ", but are not limited to, reduced"; in line 18, by striking "green house gases,"; and the resolution be adopted as amended.

Committee on **Federal and State Affairs** recommends **HB 2175** be amended on page 2, in line 5, by striking "venue or"; by striking all in lines 40 through 43;

On page 3, by striking all in line 1; in line 2, by striking all before the period and inserting "means an officer, employee or agent of the federal transportation security administration, or any successor entity, or any person acting under a contract with the federal transportation security administration, or any successor entity"; and the bill be passed as amended.

(Having been referred separately, **HB 2175** is now in Committee on Corrections and Juvenile Justice).

Committee on **Financial Institutions** recommends **SB 52, SB 113** 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 **General Government Budget** recommends **HB 2371** be passed.

Committee on **General Government Budget** recommends **SB 28, SB 216** 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 **Judiciary** recommends **SB 59** be passed.

Committee on **Judiciary** recommends **SB 20** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 60-903 is hereby amended to read as follows: 60-903. ~~(a) No notice or bond required. A restraining order may issue without notice or bond, except as provided in subsection (b) of K.S.A. 60-904, and amendments thereto, but if it appears to the judge that a restraining order may result in damage to the party restrained, a bond to secure payment of any damages sustained may be required. An application for a restraining order shall also be considered as an application for a temporary injunction and either party may give notice of hearing thereon. The order shall remain in force until the hearing on the application for a temporary injunction.~~

(a) *Temporary restraining order; issuing without notice.* Except as provided in subsection (b) of K.S.A. 60-904, and amendments thereto, the court may issue a temporary restraining order without notice or bond to the adverse party or its attorney only if:

(1) Specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss or damage will result to the movant before the

adverse party can be heard in opposition:

(2) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required; and

(3) notice of the issuance of a temporary restraining order is provided to the attorney general of the state of Kansas if the adverse party is the state of Kansas or an agency, officer or employee thereof, or to the appropriate city clerk or county clerk if the adverse party is a city or county or an agency, officer or employee thereof.

(b) *Contents; expiration.* Every temporary restraining order issued without notice must state the date and hour it was issued, describe the injury and state why it is irreparable, state why the order was issued without notice and be promptly filed in the clerk's office and entered in the record. The order expires at the time after entry, not to exceed 14 days, that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension. The reasons for an extension must be entered in the record.

(c) *Expediting the temporary injunction hearing.* If the temporary restraining order is issued without notice, the motion for a temporary injunction must be set for hearing at the earliest possible time, taking precedence over all other matters except hearings on older matters of the same character. At the hearing, the party who obtained the order must proceed with the motion, and if the party does not, the court must dissolve the order.

(d) *Service.* Where a temporary restraining order is issued without notice, it shall be served upon each party restrained in the manner prescribed for personal service of a summons.

(e) *Motion to Dissolve.* On two days' notice to the party who obtained the temporary restraining order without notice, or on shorter notice set by the court, the adverse party may appear and move to dissolve or modify the order. The court must then hear and decide the motion as promptly as justice requires.

(f) *Security.* Unless otherwise provided by statute or this section, no temporary restraining order shall operate unless the party obtaining the same shall give an undertaking with one or more sufficient sureties in an amount fixed and approved by the judge of the court, securing to the party inured the damages such injured party may sustain including attorney fees if it be finally determined that the state nor any of its agencies shall be required to give an undertaking with one or more sufficient sureties in order to be granted a temporary restraining order. For any other party, at the discretion of the judge, the undertaking required by this subsection may be waived."

On page 1, in line 21, by striking "the court may issue an"; by striking all in line 22; in line 23, by striking "the filing fee to be paid" and inserting "no fee will be required";

On page 2, in line 18, by striking "Upon"; by striking all in lines 19 through 22; in line 23, by striking "immune from such relief." and inserting "Upon such review, if the court finds that the plaintiff's allegation of poverty is untrue, the court shall direct the plaintiff to pay the docket fee or dismiss the petition without prejudice.";

And by renumbering sections accordingly;

On page 3, in line 4, after "K.S.A." by inserting "60-903 and K.S.A."; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "relating to" by inserting "temporary restraining orders"; in line 2, after "K.S.A." by inserting "60-903 and K.S.A."; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 81** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2012 Supp. 45-220 is hereby amended to read as follows: 45-220.

(a) Each public agency shall adopt procedures to be followed in requesting access to and obtaining copies of public records, which procedures shall provide full access to public records, protect public records from damage and disorganization, prevent excessive disruption of the agency's essential functions, provide assistance and information upon request and insure efficient and timely action in response to applications for inspection of public records.

(b) A public agency may require a written request for inspection of public records but shall not otherwise require a request to be made in any particular form. Except as otherwise provided by subsection (c), a public agency shall not require that a request contain more information than the requester's name and address and the information necessary to ascertain the records to which the requester desires access and the requester's right of access to the records. A public agency may require proof of identity of any person requesting access to a public record. No request shall be returned, delayed or denied because of any technicality unless it is impossible to determine the records to which the requester desires access.

(c) If access to public records of an agency or the purpose for which the records may be used is limited pursuant to K.S.A. 45-221 or K.S.A. 2012 Supp. 45-230, and amendments thereto, the agency may require a person requesting the records or information therein to provide written certification that:

(1) The requester has a right of access to the records and the basis of that right; or

(2) the requester does not intend to, and will not: (A) Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or (B) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

(d) A public agency shall establish, for business days when it does not maintain regular office hours, reasonable hours when persons may inspect and obtain copies of the agency's records. The public agency may require that any person desiring to inspect or obtain copies of the agency's records during such hours so notify the agency, but such notice shall not be required to be in writing and shall not be required to be given more than 24 hours prior to the hours established for inspection and obtaining copies.

(e) Each official custodian of public records shall designate such persons as necessary to carry out the duties of custodian under this act and shall ensure that a custodian is available during regular business hours of the public agency to carry out such duties.

(f) Each public agency shall provide, upon request of any person, the following information:

(1) The principal office of the agency, its regular office hours and any additional hours established by the agency pursuant to subsection (c).

(2) The title and address of the official custodian of the agency's records and of any other custodian who is ordinarily available to act on requests made at the location where the information is displayed.

- (3) The fees, if any, charged for access to or copies of the agency's records.
- (4) The procedures to be followed in requesting access to and obtaining copies of the agency's records, including procedures for giving notice of a desire to inspect or obtain copies of records during hours established by the agency pursuant to subsection (c).

(g) Except for requests of summary data compiled from information submitted by multiple criminal justice agencies or as otherwise provided by law, requests for records submitted to the central repository or any other repositories supporting the criminal justice information system which are maintained by the Kansas bureau of investigation pursuant to K.S.A. 22-4704 and 22-4705, and amendments thereto, shall be directed to the criminal justice agency from which the records originated.

(h) As used in this section, the terms "central repository," "criminal justice agency" and "criminal justice information system" have the same meanings as defined in K.S.A. 22-4701, and amendments thereto.;

And by renumbering sections accordingly;

On page 9, in line 14, after "Supp." by inserting "45-220,";

On page 1, in the title, in line 1, after "relating to" by inserting "requests for criminal justice information;"; in line 2, after "Supp." by inserting "45-220 and"; in line 3, by striking "section" and inserting "sections"; 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 thereupon introduced and read by title:

HB 2404, AN ACT concerning agricultural corporations; amending K.S.A. 2012 Supp. 17-5903 and 19-101a and repealing the existing sections; also repealing K.S.A. 17-5902 and K.S.A. 2012 Supp. 17-5904, 17-5907 and 17-5908, by Committee on Taxation.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Trimmer to replace Rep. Sawyer as a member of the Committee on Rules and Journal.

REPORT ON ENGROSSED BILLS

HB 2042, **HB 2091** reported correctly engrossed March 14, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6017 reported correctly enrolled and properly signed on March 18, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, March 19, 2013.

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 19, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Osterman was excused on verified illness.

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

Prayer by guest chaplain, Father Loren Werth, retired, St. Thomas More Catholic Church, Manhattan, guest of Rep. Carlin:

This past Sunday we celebrated St. Patrick's Day. I was asked to bless the Opening of the Keg at the Little Apple Brewery in Manhattan before they began their St. Patrick's day festivities. Today I am asked to bless the Legislature as they begin their session. I hope that after this blessing the Legislature can solve as many problems as we did at the Brewery on Sunday morning.

Let us Pray,

God our Father, we give you praise and beg your wisdom on these legislators who spend many hours debating on what they believe is right for our State. Not everything is black and white. Consequently, much thought has to be given to many issues. We pray for our legislators and ask God to bless them as they go about their daily tasks reflecting what is right for our State. We are grateful to them for being willing to serve knowing that it is not always an easy task. We appreciate all that is accomplished and we ask God's blessings upon them. Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF GUESTS

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

Nathan Butler - Leavenworth High School (Class of 2013) Leavenworth-Lansing Area Chamber of Commerce Junior Citizen of the Year; Three-Time State Wrestling Champion (undefeated 44-0 record this season).

This January, Leavenworth High School senior, Nathan Butler, was recognized by the Leavenworth-Lansing Area Chamber of Commerce as the Junior Citizen of the Year Award. Nathan is heavily involved throughout the community serving as a mentor and coach to youth wrestlers and football players, regularly volunteering his time to community clean-ups and annual events, and also takes time to visit Veterans in Leavenworth's VA Hospital. He is also a visible student leader at Leavenworth High School, involved in a number of activities ranging from National Honor Society to Marching Band to Student Government.

He is fresh off the 5A Kansas State Wrestling Tournament where he won his 3rd consecutive state championship, thus successfully completing an impressive undefeated 44-0 season at 285 lbs. Next year, Nathan will look to build on these accomplishments at the collegiate level at Stanford University.

"Nathan has achieved a high level of sustained academic success with a 4.1 GPA, a 35 on his ACT, and has scored 5's on the World and United States History AP Exams. He has challenged himself with a rigorous academic course load, several extracurricular activities, and leadership organizations. In addition to being a varsity two-sport athlete for football and wrestling, Nathan has also attained leadership positions in Band, National Honor Society, and Student Council.

Nathan has realized remarkable development as an outstanding athlete and leader. Nathan Butler has been a tremendous leader for the Pioneer Wrestling team. He is Leavenworth's only three-time Kansas High school wrestling State Champion, as well as, only the third four-time state placer in school history. Nathan has earned All-American status at several elite level national competitions including: USA Fargo Greco-Roman Nationals, Brute Nationals, USAW Folk-style Nationals, and is the 2012 Fila Cadet Freestyle National Champion. His leadership and personal integrity qualities along with his willingness to spend extra time with new athletes who need encouraging or assistance in developing their wrestling skills have earned him the respect of his coaches and peers along with numerous team awards. As great of a wrestler Nathan is, he is an even better human being and model of character."

Rep. Bradford presented Nathan with a framed House certificate.

PERSONAL PRIVILEGE

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

Rep. Christmann:

It is my honor to yield the remainder of my time to Senator Holmes.

Remarks by Senator Mitch Holmes:

What a pleasure to stand here before my friends in the House. I know this is extremely unusual, but the support the Holmes family received from our friends in the House was unusual, and I wanted to have opportunity to formally say thanks.

Our daughter, Noelle, is the third of four daughters. She turned 18 just 2 weeks before the 2012 primary election and was thrilled to help me campaign and then vote for her Daddy.

Then on September 20, I got the phone call that every parent dreads...my daughter had been in a serious accident at an intersection known for its deadly accidents. She had not seen a semi approaching before she started to cross the highway. A helicopter was dispatched to take her to Wesley trauma center in Wichita, but we were able to see her for a few minutes at the Stafford hospital as we waited for the helicopter.

As we chased the helicopter to Wichita, I called our church's prayer chain, but I was trying to think of who I could call to get the word out to all my colleagues. Then it dawned on me...Martin Hawver! Martin sent out a newsflash, and I immediately started getting texts from my friends saying they were praying for Noelle.

When we got to Wesley, Noelle was in a coma. She had suffered what is called Diffuse Axonal Injury, which is a shearing between brain cells caused by rapid acceleration and rotation. The doctors told us that the length of time she spent in a coma would be indicative of the amount of damage her brain had sustained. It might be 2 days, or it could be 2 months; there was no way to know. Noelle lay in a coma for 10 days, then a semi coma for another 4 days before being transferred to Madonna Rehabilitation Hospital in Lincoln, NE. Judging by the length of her coma, the doctors said it would take 12-18 months of therapy. The evaluation at Madonna predicted mid-December to complete in-patient therapy and the remainder in out-patient therapy. At that time, she was in a neck brace, her right arm and leg were non-functioning, and her left side was extremely limited.

To everyone's surprise, including her doctors and therapists, she made extremely rapid recovery. She was released from in-patient rehabilitation 3 weeks prior to predictions...just in time for Thanksgiving. Her neck brace was gone and she could walk good enough to navigate stairs with help. She could play some of her piano pieces, although very slowly.

She just finished her out-patient therapy last week, which was less than 6 months after the accident...far shorter than the 12-18 months we expected. She will continue to recover, as brain injuries take time to fully heal. But she is able to do things she had previously been able to do with the exception that her right hand doesn't seem as strong as her left when she's milking goats.

One thing that stood out to us throughout the whole ordeal was the support and prayers from friends from the statehouse: legislators, staff, the Governor, and lobbyists. Rep. Pete DeGraaf and Sen. Jeff King helped establish a fund to assist with our deductibles, co-pays, and related expenses. We had cards and letters pouring in with support, as well as calls and text messages. Everyone expressed they were praying and we could feel the power of God throughout the ordeal.

Today, I present to you Noelle Holmes...our version of a walking miracle. She's shy and doesn't want to come down front. But she and the rest of the Holmes family wish to say thanks to our friends in the House for all the support and prayers you showed us during this difficult time. Thank you. And thank you Mr. Speaker for the privilege of addressing the House again!

PERSONAL PRIVILEGE

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

Lupus affects 1 in 185 individuals; yet despite its prevalence, lupus remains one of

the least recognizable and most misunderstood diseases in both the medical and lay communities. The most common form is systemic lupus erythematosus, which accounts for nearly 70 percent of cases. It's an autoimmune disease that causes the immune system to attack normal tissue and organs, including the kidneys, heart, lungs and skin.

This major health issue has a significant impact on our state economy, with one in five lupus patients receiving disability. The effects on many families can be devastating, chronic, life long and life threatening. Lupus affects primarily young women in their crucial childbearing years but also men, children and women of all ages and can result in immeasurable physical, financial and emotional toll on many families in our state.

The Lupus Foundation of America, Kansas Chapter is part of a national force devoted to solving the cruel mystery of lupus, one of the world's cruelest, most unpredictable and devastating diseases, while giving caring support to those who suffer from its brutal impact. Their Lupus Activists are here in the capitol today, many of them wearing the color purple. They will be visiting with different legislators to discuss issues of importance to people living with Lupus in Kansas, and they will be hosting a Mexican buffet lunch catered by Carlos O'Kelley in the first floor rotunda north wing today immediately following adjournment of the House. As a Lupus patient, I am pleased that they are here today and ask each of you to join us for lunch today and welcome them.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2404**.

Pensions and Benefits: **HB 2403**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **SB 171** from Committee on Education and referral to Committee on Education Budget.

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for February 2013.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Department of Health and Environment, Treece Relocation Trust Fiscal Year 2012 Auditor's Report and Financial Statements.

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 5015**.

CONSENT CALENDAR

No objection was made to **SB 28, SB 52, SB 113, SB 216** appearing on the Consent

Calendar for the first day.

No objection was made to **SB 85** appearing on the Consent Calendar for the second day.

No objection was made to **SB 62** 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 62, AN ACT concerning utilities; relating to the Kansas corporation commission; gas pipeline safety; amending K.S.A. 66-1,154 and 66-1,157a and K.S.A. 2012 Supp. 66-1,153 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed.

HB 2094, AN ACT concerning public and private postsecondary educational institutions; relating to student electronic privacy, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz,

Siegfreid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed, as amended.

Sub HB 2166, AN ACT concerning social welfare; relating to the medical assistance recovery program; amending K.S.A. 39-702 and 58-3957 and K.S.A. 2012 Supp. 28-115 and 39-709 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfreid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Alcalá, Carlin, Dillmore, Henderson, Kuether, Lane, Menghini, Peterson, Ruiz, Ward, Winn.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The substitute bill passed, as amended.

SB 27, AN ACT concerning the military service scholarship program act; relating to qualified students; amending K.S.A. 2012 Supp. 74-32,228 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz,

Siegfreid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed, as amended.

SB 69, AN ACT concerning motor vehicles; relating to vehicle registration; license plates; amending K.S.A. 8-163 and 8-167 and K.S.A. 2012 Supp. 8-136, 8-139, 8-171 and 8-2409 and repealing the existing sections, 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfreid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Dillmore, Henderson, Lane, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed.

SB 128, AN ACT concerning career technical education ; amending K.S.A. 2012 Supp. 72-4484 and 72-4489 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfreid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd,

Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed, as amended.

SB 168, AN ACT concerning agriculture; relating to agricultural activities; protection of farmland and agricultural activities from certain nuisance actions; amending K.S.A. 2-3202 and 2-3203 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 12; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wolfe Moore.

Nays: Alcalá, Dillmore, Finney, Henderson, Houston, Kinzer, Kuether, Lane, Sloop, Todd, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House nonconcurrred in Senate amendments to **S Sub for HB 2022** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurrred in Senate amendments to **HB 2081** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Vickrey, 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 **HB 2037** be passed.

Committee report to **HB 2253** be adopted; also, roll call was demanded on motion of Rep. Wilson to amend **on page 5, following line 6, by inserting:**

"New Sec. 10. The provisions of K.S.A. 65-6701 through 65-6725, and amendments thereto, shall not apply to an abortion if the pregnancy is the result of an act of rape, aggravated indecent liberties with a child or incest, as those crimes are defined under the Kansas criminal code.";

And by renumbering remaining sections accordingly;

On roll call, the vote was: Yeas 31; Nays 90; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Henderson, Hill, Houston, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claey's, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Kleeb, Osterman, Peterson, Sawyer.

The motion of Rep. Wilson did not prevail.

On motion of Rep. Bollier to amend **HB 2253**, the motion did not prevail. Also, on further motion of Rep. Bollier to amend, the motion did not prevail. Also, on further motion of Rep. Bollier to amend, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2262** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2262," as follows:

"Substitute for HOUSE BILL NO. 2262

By Committee on Appropriations

"AN ACT concerning the oil and gas valuation depletion trust fund; relating to amount credited to such fund; amending K.S.A. 2012 Supp. 79-4227 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2262** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **HB 2384** be amended on page 7, in line 7, by striking all after "(A)"; by striking all in lines 8 through 10; in line 11, by striking all before the period and inserting "On and after the effective date of this act, any state agency that has positions in the classified service within the Kansas civil service act to satisfy any requirement of maintaining personnel standards on a merit basis pursuant to federal law or the rules and regulations promulgated thereunder by the federal government or any agency thereof, may adopt a binding statement of agency policy

pursuant to K.S.A. 77-415, and amendments thereto, to satisfy such requirements"; in line 13, after the first comma by inserting "the juvenile justice authority,"; in line 14, after "investigation" by inserting "or any person in a classified position who holds a full-time active law enforcement certificate or a provisional law enforcement certificate"; in line 16, after "6." by inserting "On and after July 1, 2013,"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 49, SB 58** be passed.

Committee on **Corrections and Juvenile Justice** recommends **SB 41** be amended on page 4, in line 38, by striking "a drug felony" and inserting "a felony violation of any provision of article 57 of chapter 21, and amendments thereto"; also in line 38, by striking the second "or"; in line 39, by striking "conspiracy"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2381** be amended on page 1, in line 24, after "(a)" by inserting "except that a general public solicitation which does not target a specific individual and is distributed via social media shall be permissible"; and the bill be passed as amended.

Committee on **Elections** recommends **SB 63** be amended on page 1, by striking all in lines 7 through 22; in line 23, by striking "Sec. 2." and inserting "New Section 1."; in line 31, by striking "7" and inserting "9";

On page 3, in line 10, by striking "severity level 9, nonperson felony" and inserting "class A misdemeanor"; in line 31, by striking "7" and inserting "9"; in line 35, by striking "7" and inserting "8"; in line 40, by striking "8" and inserting "9";

Also on page 3, following line 41, by inserting:

"New Sec. 8. In addition to any sentence that may be imposed for a violation of article 24 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, the court shall order the right of the convicted person to vote be disenfranchised for a period of four years. The court shall direct that a copy of the order disenfranchising the right to vote be delivered to the election officer of the county of residence of the convicted person and the secretary of state for the purpose of removing the defendant from the official records for voter registration.";

On page 4, following line 28, by inserting:

"Sec. 10. K.S.A. 25-4153b is hereby amended to read as follows: 25-4153b. (a) No political committee, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for the legislature or to make contributions or expenditures for the nomination, election or defeat of a clearly identified candidate for the legislature, shall be established by a member of the legislature.

(b) Any such political committee existing prior to the effective date of this act is hereby abolished.";

And by renumbering sections accordingly;

Also on page 4, in line 29, by striking the first "and" and inserting a comma; also in line 29, after "25-2431" by inserting "and 25-4153b";

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "25-2431" by inserting "and 25-4153b"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 111** be amended on page

1, following line 11, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 38-2285 is hereby amended to read as follows: 38-2285. (a) The board of education of a school district shall award a high school diploma to any person requesting a diploma if such person: (1) Is at least 17 years of age; (2) is enrolled or resides in such school district; (3) is or has been a child in the custody of the secretary, or in the custody of a federally recognized Indian tribe in this state, at any time on or after such person's 14th birthday; and (4) has achieved at least the minimum high school graduation requirements adopted by the state board of education.

(b) This section shall be part of and supplemental to the revised Kansas code for care of children.";

And by renumbering sections accordingly;

Also on page 1, in line 12, by striking "is" and inserting "and K.S.A. 2012 Supp. 38-2285 are"; in line 14, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "designating native American legislative day at the capitol" and inserting "concerning native Americans"; in line 2, after "and" by inserting "K.S.A. 2012 Supp. 38-2285 and"; also in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 107** be passed.

Committee on **Health and Human Services** recommends **SCR 1606** be adopted.

Committee on **Insurance** recommends **SB 51** 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 2134** be amended on page 3, in line 32, following "property" by inserting "conducted specifically to determine the value of the property for purposes of ad valorem taxation and"; in line 34, following "thereto" by inserting ", within the previous 12 months"; in line 39, by striking all following the period; by striking all in lines 40 through 43;

On page 4, in line 1, by striking "pay reasonable attorney fees and costs to the prevailing taxpayer."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2267** be amended on page 1, in line 7, by striking "2011" and inserting "2012";

On page 3, following line 17, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 79-32,160a is hereby amended to read as follows: 79-32,160a. (a) For taxable years commencing after December 31, 1999, and before January 1, 2012, any taxpayer who shall invest in a qualified business facility, as defined in subsection (b) of K.S.A. 79-32,154, and amendments thereto, and effective for tax years commencing after December 31, 2010, and before January 1, 2012, located in an area other than a metropolitan county as defined in either K.S.A. 2012 Supp. 74-50,114 or 74-50,211, and amendments thereto, and also meets the definition of a business in subsection (b) of K.S.A. 74-50,114, and amendments thereto, shall be allowed a credit for such investment, in an amount determined under subsection (b) or (c), as the case requires, against the tax imposed by the Kansas income tax act or where the qualified business facility is the principal place from which the trade or business of the taxpayer is directed or managed and the facility has facilitated the creation of at least 20 new full-time positions, against the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas

Statutes Annotated, and amendments thereto, for the taxable year during which commencement of commercial operations, as defined in subsection (f) of K.S.A. 79-32,154, and amendments thereto, occurs at such qualified business facility. In the case of a taxpayer who meets the definition of a manufacturing business in subsection (d) of K.S.A. 74-50,114, and amendments thereto, no credit shall be allowed under this section unless the number of qualified business facility employees, as determined under subsection (d) of K.S.A. 79-32,154, and amendments thereto, engaged or maintained in employment at the qualified business facility as a direct result of the investment by the taxpayer for the taxable year for which the credit is claimed equals or exceeds two. In the case of a taxpayer who meets the definition of a nonmanufacturing business in subsection (f) of K.S.A. 74-50,114, and amendments thereto, no credit shall be allowed under this section unless the number of qualified business facility employees, as determined under subsection (d) of K.S.A. 79-32,154, and amendments thereto, engaged or maintained in employment at the qualified business facility as a direct result of the investment by the taxpayer for the taxable year for which the credit is claimed equals or exceeds five. Where an employee performs services for the taxpayer outside the qualified business facility, the employee shall be considered engaged or maintained in employment at the qualified business facility if: (1) The employee's service performed outside the qualified business facility is incidental to the employee's service inside the qualified business facility; or (2) the base of operations or, the place from which the service is directed or controlled, is at the qualified business facility.

(b) The credit allowed by subsection (a) for any taxpayer who invests in a qualified business facility which is located in a designated nonmetropolitan region established under K.S.A. 74-50,116, and amendments thereto, on or after the effective date of this act, shall be a portion of the income tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year for which such credit is allowed, but in the case where the qualified business facility investment was made prior to January 1, 1996, not in excess of 50% of such tax. Such portion shall be an amount equal to the sum of the following:

(1) Two thousand five hundred dollars for each qualified business facility employee determined under K.S.A. 79-32,154, and amendments thereto; plus

(2) one thousand dollars for each \$100,000, or major fraction thereof, which shall be deemed to be 51% or more, in qualified business facility investment, as determined under K.S.A. 79-32,154, and amendments thereto.

(c) The credit allowed by subsection (a) for any taxpayer who invests in a qualified business facility, which is not located in a nonmetropolitan region established under K.S.A. 74-50,116, and amendments thereto, and effective for tax years commencing after December 31, 2010, and before January 1, 2012, located in an area other than a metropolitan county as defined in either K.S.A. 2012 Supp. 74-50,114 or 74-50,211, and amendments thereto, and which also meets the definition of business in subsection (b) of K.S.A. 74-50,114, and amendments thereto, on or after the effective date of this act, shall be a portion of the income tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net

income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year for which such credit is allowed, but in the case where the qualified business facility investment was made prior to January 1, 1996, not in excess of 50% of such tax. Such portion shall be an amount equal to the sum of the following:

(1) One thousand five hundred dollars for each qualified business facility employee as determined under K.S.A. 79-32,154, and amendments thereto; and

(2) one thousand dollars for each \$100,000, or major fraction thereof, which shall be deemed to be 51% or more, in qualified business facility investment as determined under K.S.A. 79-32,154, and amendments thereto.

(d) The credit allowed by subsection (a) for each qualified business facility employee and for qualified business facility investment shall be a one-time credit. If the amount of the credit allowed under subsection (a) exceeds the tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax and privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year, or in the case where the qualified business facility investment was made prior to January 1, 1996, 50% of such tax imposed upon the amount which exceeds such tax liability or such portion thereof may be carried over for credit in the same manner in the succeeding taxable years until the total amount of such credit is used. Except that, before the credit is allowed, a taxpayer, who meets the definition of a manufacturing business in subsection (d) of K.S.A. 74-50,114, and amendments thereto, shall recertify annually that the net increase of a minimum of two qualified business facility employees has continued to be maintained and a taxpayer, who meets the definition of a nonmanufacturing business in subsection (f) of K.S.A. 74-50,114, and amendments thereto, shall recertify annually that the net increase of a minimum of five qualified business employees has continued to be maintained.

(e) Notwithstanding the foregoing provisions of this section, any taxpayer qualified and certified under the provisions of K.S.A. 74-50,131, and amendments thereto; which, prior to making a commitment to invest in a qualified Kansas business, has filed a certificate of intent to invest in a qualified business facility in a form satisfactory to the secretary of commerce; and that has received written approval from the secretary of commerce for participation and has participated, during the tax year for which the exemption is claimed, in the Kansas industrial training, Kansas industrial retraining or the state of Kansas investments in lifelong learning program or is eligible for the tax credit established in K.S.A. 74-50,132, and amendments thereto, shall be entitled to a credit in an amount equal to 10% of that portion of the qualified business facility investment which exceeds \$50,000 in lieu of the credit provided in subsection (b)(2) or (c)(2) without regard to the number of qualified business facility employees engaged or maintained in employment at the qualified business facility. The credit allowed by this subsection shall be a one-time credit. If the amount thereof exceeds the tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income or the premium tax or 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 article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year, the amount thereof which exceeds such tax liability may be carried

forward for credit in the succeeding taxable year or years until the total amount of the tax credit is used, except that no such tax credit shall be carried forward for deduction after the 16th taxable year succeeding the taxable year in which such credit initially was claimed, and no carryforward shall be allowed for deduction in any succeeding taxable year unless the taxpayer certifies under oath that the taxpayer continues to meet the requirements of K.S.A. 74-50,131, and amendments thereto, and this act. In no event shall any credit allowed under this section that expired during any taxable year prior to the taxable year commencing January 1, 2011, be revived under the provisions of this act.

(f) For tax years commencing after December 31, 2005, any taxpayer claiming credits pursuant to this section, as a condition for claiming and qualifying for such credits, shall provide information pursuant to K.S.A. 2012 Supp. 79-32,243, and amendments thereto, as part of the tax return in which such credits are claimed. Such credits shall not be denied solely on the basis of the contents of the information provided by the taxpayer pursuant to K.S.A. 2012 Supp. 79-32,243, and amendments thereto.

(g) This section and K.S.A. 79-32,160b, and amendments thereto, shall be part of and supplemental to the job expansion and investment credit act of 1976, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 3, in line 18, by striking "is" and inserting ", 79-32,160a and 79-32,160f are";

On page 1, in the title, in line 3, by striking "and repealing the existing section" and inserting "and 79-32,160a and repealing the existing sections; also repealing K.S.A. 2012 Supp. 79-32,160f"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 83** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 83," as follows:

"House Substitute for SENATE BILL NO. 83

By Committee on Taxation

"AN ACT concerning taxation; relating to delinquent tax liabilities; service fees, remittance; income tax deductions and modifications; severance tax; sales tax; amending K.S.A. 79-32,109 and K.S.A. 2012 Supp. 75-5162, 79-32,117, 79-32,118, 79-32,266, 79-3620 and 79-4217 and repealing the existing sections; also repealing K.S.A. 79-3632 and K.S.A. 2012 Supp. 79-32,117n and 79-3639a."; and the substitute bill be passed.

(**H Sub for SB 83** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **SB 136** be amended on page 2, in line 43, before "driver's" by inserting "front of the";

On page 5, in line 15, before "nondriver" by inserting "front of the"; 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 and resolution were thereupon introduced and read by title:

HB 2405, AN ACT concerning sales and compensating use tax; relating to

distribution of revenues; amending K.S.A. 2012 Supp. 79-3620 and 79-3710 and repealing the existing sections, by Committee on Appropriations.

HB 2406, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; amending K.S.A. 2012 Supp. 74-8702, 74-8734, 74-8741, 74-8751 and 74-8768 and repealing the existing sections, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5016**—

By Representative Hildabrand

A CONCURRENT RESOLUTION making application to the congress of the United States to call a convention for the purpose of proposing an amendment to the constitution of the United States with respect to states' rights.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That pursuant to article V of the constitution of the United States, the legislature of the state of Kansas hereby makes application to the congress of the United States for the calling of a constitutional convention for the sole purpose of proposing the following article as an amendment to the constitution of the United States:

"ARTICLE _____

"Section 1. The states and the citizens thereof have the sole and exclusive authority to regulate directly, and to regulate indirectly through taxes, the following subjects: Education; the time, place and manner of elections; marriage and law relating to the family; firearms, ammunition and their use; land use; the management of wildlife, game and fisheries; health care; and all forms of insurance.

"Sec. 2. Section 1 is not an exclusive list of subjects that the states may regulate. With respect to all other subjects, other than those enumerated in sections 9 and 10 of article I, the states may regulate those subjects. Congress may not exercise its enumerated powers to impliedly preempt or otherwise impliedly displace state laws. The preemption or displacement of such state laws may only occur if an act of congress expressly and unmistakably states its intention to preempt or displace state law."; and

Be it further resolved: That this application constitutes a continuing application in accordance with article V of the constitution of the United States until at least two-thirds of the several states shall have made similar applications to the congress of the United States; and

Be it further resolved: That the secretary of state is hereby directed to transmit copies of this resolution to the President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, each member of the Kansas delegation in the United States Congress and to the legislatures of all other states of the United States.

On motion of Rep. Vickrey, the House recessed until 1:45 p.m.

AFTEROON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2289** from Committee on Education and referral to Committee on Appropriations.

On motion of Rep. Vickrey, 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. Vickrey, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing designated members to speak more than once on **Sub HB 2231**. Those members are Reps. Suellentrop and Henry.

Committee report recommending a substitute bill to **Sub HB 2231** be adopted; also, on motion of Rep. Rhoades be amended on page 93, by striking all in lines 39 through 43;

On page 94, by striking all in lines 1 through 13; following line 13, by inserting:

"(h) On July 1, 2013, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the state general fund.";

On page 97, following line 23, by inserting:

"(h) On July 1, 2014, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the state general fund.";

On page 192, in line 7, by subtracting \$6,624 from the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 194, in line 27, by subtracting \$7,407 from the dollar amount and by adjusting the dollar amount in the line 27 accordingly;

On page 226, in line 34, by adding \$172,737 to the dollar amount and by adjusting the dollar amount in line 34 accordingly;

On page 276, in line 38, by subtracting \$11,984 from the dollar amount and by adjusting the dollar amount in line 38 accordingly;

On page 302, in line 33, by adding \$11,984 to the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On page 326, in line 17, by striking all after "providers"; by striking all in line 18; in line 19, by striking all before the period; in line 28, by striking all after "providers"; by striking all in lines 29 and 30; in line 31, by striking "thereto";

On page 333, in line 37, by striking all after "providers"; by striking all in line 38; in line 39, by striking all before the period;

On page 334, in line 4, by striking all after "providers"; by striking all in line 5; in line 6, by striking all before the period;

Also, on motion of Rep. Cassidy, **Sub HB 2231** be amended on page 416, by striking lines 32 through 42;

On page 417, in line 31, by striking the second comma and inserting "and"; in line 32, by striking all after "Facility"; in line 33, by striking all before the comma;

On page 419, by striking lines 27 through 37;

On page 420, in line 27, by striking the comma and inserting "and"; also on line 27, by striking all after "Facility"; in line 28, by striking all before the comma;

Also, on motion of Rep. Rothlisberg to amend **Sub HB 2231**, Rep. Henry requested the question be divided. The Rules Chair ruled the request out of order under the provisions of House Rule 2110.

The question reverted back to the motion of Rep. Rothlisberg and roll call was demanded on the motion to amend on page 99, by striking lines 41 through 43; on page 100, by deleting lines 1 through 12; and relettering the remaining subsections accordingly;

On page 109, in line 13, before the comma by striking "(p)" and inserting "(o)"; in line 35, by striking "(p)(3)(A)" and inserting "(o)(3)(A)";

On page 110, in line 1, by striking "(p)(3)(B)" and inserting "(o)(3)(B)"; in line 17, by striking "(p)(3)(A)(i)" and inserting "(o)(3)(A)(i)"; in line 22 by striking "(p)(3)(A)(i)" and inserting "(o)(3)(A)(i)"; in line 25, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 30, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 41, by striking "(p)" and inserting "(o)";

On page 111, in line 6, by striking "(p)" and inserting "(o)"; in line 18, by striking "(p)(6)" and inserting "(o)(6)"; in line 24, by striking "(p)(6)" and inserting "(o)(6)"; in line 26, by striking "(p)" and inserting "(o)"; in line 32, by striking "(p)" and inserting "(o)"; in line 37, by striking "(p)(3)" and inserting "(o)(3)"; also in line 37, by striking "(p)(6)" and inserting "(o)(6)";

On page 112, in line 5, by striking "(p)" and inserting "(o)"; in line 7, by striking "(p)" and inserting "(o)"; in line 9, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 13, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 34, by striking "(p)" and inserting "(o)"; in line 35, by striking "(p)" and inserting "(o)"; in line 40, by striking "(p)" and inserting "(o)";

On page 113, in line 3, by striking "(p)" and inserting "(o)"; in line 14, by striking "(p)" and inserting "(o)"; in line 25, by striking "(p)" and inserting "(o)";

On page 117, by striking all in lines 18 through 32; and by relettering remaining subsections accordingly;

On page 126, in line 25, by striking "(p)" and inserting "(o)";

On page 127, in line 4, by striking "(p)(3)(A)" and inserting "(o)(3)(A)"; in line 13, by striking "(p)(3)(B)" and inserting "(o)(3)(B)"; in line 29, by striking "(p)(3)(A)(i)" and inserting "(o)(3)(A)(i)"; in line 34, by striking "(p)(3)(A)(i)" and inserting "(o)(3)(A)(i)"; in line 37, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 42, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)";

On page 128, in line 2, by striking "(p)(3)" and inserting "(o)(3)"; in line 10, by striking "(p)" and inserting "(o)"; in line 18, by striking "(p)" and inserting "(o)"; in line 30, by striking "(p)(6)" and inserting "(o)(6)"; in line 36, by striking "(p)(6)" and inserting "(o)(6)"; in line 38, by striking "(p)" and inserting "(o)";

On page 129, in line 1, by striking "(p)" and inserting "(o)"; in line 6, by striking "(p)(3)" and inserting "(o)(3)"; also in line 6, by striking "(p)(6)" and inserting "(o)(6)"; in line 17, by striking "(p)" and inserting "(o)"; in line 19, by striking "(p)" and inserting "(o)"; in line 21, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 25, by striking "(p)(3)(A)(ii)" and inserting "(o)(3)(A)(ii)"; in line 36, by striking "(p)" and inserting "(o)";

On page 130, in line 3, by striking "(p)" and inserting "(o)"; in line 4, by striking "(p)" and inserting "(o)"; in line 9, by striking "(p)" and inserting "(o)"; in line 15, by striking "(p)" and inserting "(o)"; in line 26, by striking "(p)" and inserting "(o)"; in line 31, by striking "(p)" and inserting "(o)"; in line 37, by striking "(p)" and inserting "(o)";

On page 207, in line 7, by adding \$600,000 to the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 220, in line 42, by adding \$600,000 to the dollar amount and by adjusting the dollar amount in line 42 accordingly;

On roll call, the vote was: Yeas 53; Nays 69; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Gonzalez, Grant, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Houser, Howell, Huebert, Jones, Kahrs, Kelley, Kinzer, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Ryckman Jr., Siegfried, Suellentrop, Sutton, Todd, Vickrey, Ward, Whipple.

Nays: Alcala, Alford, Ballard, Becker, Bideau, Boldra, Bollier, Bridges, Bruchman, Burroughs, Carlin, Cassidy, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Frownfelter, Grosserode, Hawkins, Henderson, Henry, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lusk, Meier, Meigs, Menghini, Montgomery, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Rubin, Ruiz, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Swanson, Thimesch, Tietze, Trimmer, Victors, Waymaster, Weber, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Osterman, Peterson, Sawyer.

The motion of Rep. Rothlisberg did not prevail

Also, on motion of Rep. Peck, **Sub HB 2231** be amended on page 326, in line 16, by striking "public" and inserting "accredited"; in line 28, by striking "public" and inserting "accredited";

On page 333, in line 37, by striking "public" and inserting "accredited";

On page 334, in line 3, by striking "public" and inserting "accredited";

Also, on motion of Rep. Jennings, **Sub HB 2231** be amended on page 329, in line 37, by striking the comma and inserting "or"; also in line 37, by striking "or juvenile facility"; in line 40, by striking the comma and inserting "or"; in line 41, by striking "or juvenile facility"; in line 42, after the period by inserting "During the fiscal year ending June 30, 2014, the secretary of corrections shall not transfer any part of any item of appropriation for the fiscal year ending June 30, 2014, from the state general fund for the department of corrections or any juvenile facility under the general supervision and management of the secretary of corrections for juvenile programs or services to another item of appropriation for fiscal year 2014 from the state general fund for the department of corrections or any correctional institution, correctional facility or program or service for the adult offender population. During the fiscal year ending June 30, 2014, the secretary of corrections shall not transfer any part of any item of appropriation for the fiscal year ending June 30, 2014, from any special revenue fund or funds for the department of corrections or any juvenile facility under the general supervision and management of the secretary of corrections for juvenile programs or services to another

item of appropriation for fiscal year 2014 from any special revenue fund or funds for the department of corrections or any correctional institution, correctional facility or program or service for the adult offender population.";

Also, on further motion of Rep. Jennings to amend **Sub HB 2231**, the motion did not prevail. Also, on motion of Rep. DeGraaf to amend, the motion did not prevail. Also, on motion of Rep. Burroughs to amend, the motion did not prevail. Also, on motion of Rep. Sloan to amend, the motion did not prevail. Also, on motion of Rep. Henry to amend, the motion did not prevail. Also, on motion of Rep. Hineman to amend, the motion did not prevail. On motion of Rep. Sloan to amend, the motion did not prevail.

Also, on motion to recommend **Sub HB 2231** favorably for passage, roll call was demanded.

On roll call, the vote was: Yeas 71; Nays 51; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bideau, Bollier, Bridges, Burroughs, Carlin, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Edmonds, Finch, Finney, Frownfelter, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Petty, Phillips, Rooker, Ruiz, Schroeder, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Osterman, Peterson, Sawyer.

The motion prevailed and **Sub HB 2231** 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 2407, AN ACT concerning sales taxation; relating to exemptions; business property construction; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6020**—

By Committee on Federal and State Affairs

A RESOLUTION opposing the International Olympic Committee's decision to eliminate wrestling from the Summer Olympic Games beginning in 2020.

WHEREAS, Wrestling is recognized as one of the world's oldest competitive sports dating back to 3000 B.C.; and

WHEREAS, Wrestling was one of the original sports of the ancient Greek Olympic games and of the first modern Olympic games; and

WHEREAS, Wrestling is one of the world's most diverse sports, with participants from almost 200 countries around the world; and

WHEREAS, Over 280,000 high school students in the United States participated in wrestling in 2012; and

WHEREAS, There are over 300 intercollegiate wrestling programs in the United States; and

WHEREAS, Wrestling represents the determination and hard work it takes to succeed in life and sport; and

WHEREAS, The United States has a long, proud and storied Olympic wrestling history; and

WHEREAS, Wrestling epitomizes the spirit of the Olympic games: Now, therefore,
Be it resolved by the House of Representatives of the State of Kansas: That we oppose the decision of the International Olympic Committee to eliminate wrestling from the Summer Olympic Games beginning in 2020; and

Be it further resolved: That we thank the United States Olympic Committee for their continued support of wrestling and encourage them to work actively to reverse this decision; and

Be it further resolved: That we urge the International Olympic Committee to reinstate wrestling as a core sport of the Summer Olympic Games; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send one copy of this resolution to the United States Olympic Committee and one copy of this resolution to the International Olympic Committee.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, in not passing **HB 2086** under that order of business, Final Action on Bills and Concurrent Resolutions, Rep. Schwab moved the House of Representatives reconsider its action on **HB 2086**. The motion prevailed and the bill was returned to that order of business, Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2086, AN ACT concerning economic development financing; relating to eligible project costs for tax increment financing and community improvement districts; bond repayment pledge requirements; amending K.S.A. 2012 Supp. 12-6a27, 12-1770a and 12-1774 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bruchman,

Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeyes, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Ewy, Finch, Frownfelter, Gandhi, Gonzalez, Hedke, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Hutton, Jennings, Johnson, Jones, Kelly, Kleeb, Lunn, Lusk, Mast, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Proehl, Read, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple, Winn, Wolfe Moore.

Nays: Alcalá, Bradford, Bridges, Brunk, Christmann, DeGraaf, Dillmore, Edmonds, Edwards, Esau, Finney, Garber, Goico, Grant, Grosserode, Hawkins, Henderson, Hildabrand, Houser, Houston, Howell, Huebert, Kahrs, Kelley, Kinzer, Kuether, Lane, Macheers, McPherson, Meier, Peck, Powell, Rhoades, Rubin, Ruiz, Schroeder, Sutton, Victors, Ward, Weigel, Wilson.

Present but not voting: None.

Absent or not voting: Osterman, Peterson, Sawyer.

The bill passed.

EXPLANATION OF VOTE

Mr. Speaker: Community Investment Districts, generally a good idea for Kansas, are being misused. They are intended to capture additional sales tax revenue from transient travelers, not to further tax already overburdened Kansans who live near them. In Shawnee, a CID for a strip mall requires nearby poor or middle class residents regularly to pay an additional one-half cent sales tax for their groceries and other necessities to bail out the developer's maintenance costs. Now, this bill will maintain nearby streets on their backs as well. That is wrong. I vote NO on **HB 2086**. — JOHN RUBIN, CHARLES MACHEERS

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House concurred in Senate amendments to **S Sub for HB 2022**, AN ACT concerning employees; relating to certain employee organizations; political activities; certain deductions from wages; amending K.S.A. 75-4333 and K.S.A. 2012 Supp. 44-319 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 68; Nays 54; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeyes, Concannon, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hedke, Hermanson, Highland, Hildabrand, Hineman, Hoffman, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Corbet, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Hawkins, Henderson, Henry, Hibbard, Hill, Houser,

Houston, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Schroeder, Shultz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Osterman, Peterson, Sawyer.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Tietze to replace Rep. Sawyer on Committee on Taxation through March 22.

Also, the appointment of Rep. Henderson to replace Rep. Sawyer on Committee on Elections for March 20.

Also, the appointment of Rep. Ballard to replace Rep. Frownfelter on Committee on Commerce, Labor and Economic Development through March 22.

Also, the appointment of Rep. Burroughs to replace Rep. Frownfelter on Committee on Insurance for March 20.

Also, the appointment of Rep. Mast to replace Rep. Osterman on Committee on Judiciary for March 20.

REPORT ON ENGROSSED BILLS

HB 2094, Sub HB 2166 reported correctly engrossed March 18, 2013.

Also, **HB 2253** reported correctly engrossed March 19, 2013.

REPORT ON ENROLLED BILLS

HB 2006, HB 2013, HB 2019, HB 2066 reported correctly enrolled, properly signed and presented to the Governor on March 19, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, March 20, 2013.

Journal of the House

FORTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 20, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Osterman was excused on verified illness.

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

Rep. Seiwert was excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord, God,
A basketball coach once said,
“my responsibility is getting all my players playing
for the name on the front of the jersey,
not the one on the back.”
A basketball player once said,
“sometimes a player’s greatest challenge
is coming to grips with his role on the team.”
Lord, these leaders are a team—
help each one to understand his/her role on the team,
and to fulfill that role to the best of their ability.
And always remind them that they make decisions
for all the people of this great state.
In Christ’s name I pray, Amen.

The Pledge of Allegiance was led by Rep. Macheers.

PERSONAL PRIVILEGE

Rep. Concannon recognized the 15 students in the gallery who make up the entire high school of Tipton Catholic High School. It is the smallest high school in Kansas.

PERSONAL PRIVILEGE

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

I, along with the other Reno County Legislators, Representatives Joe Seiwert, Steven Becker, and Jack Thimesch, would like to have the House join us in welcoming the

Reno County Youth Leadership Group. We are pleased to have them with us today, on such a busy day. Earlier, they were prevented from joining us due to the snow.

Again, welcome to the Capitol.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **HB 2406; HCR 5016; HR 6020.**

Taxation: **HB 2405, HB 2407.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2289** from Committee on Appropriations and rereferral to Committee on Education.

MESSAGE FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 27**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 128**, requests a conference and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 168**, requests a conference and has appointed Senators Love, Kerschen 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 2022** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2081** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 27**.

Speaker Merrick thereupon appointed Reps. Goico, Gonzalez and Meier as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 128**.

Speaker Merrick thereupon appointed Reps. Kelley, Cassidy and Trimmer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 168**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6021**—

By Representative Ryckman Sr.

A RESOLUTION designating the month of April as "Parkinson's Awareness Month."

WHEREAS, Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease; and

WHEREAS, Even though there is inadequate comprehensive data on the incidence and prevalence of Parkinson's disease, as of 2010, it is estimated that the disease affects over 1,000,000 people in the United States; and

WHEREAS, Although research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown; and

WHEREAS, There is no objective test for Parkinson's disease and the rate of misdiagnosis can be high; and

WHEREAS, Symptoms of Parkinson's disease vary from person to person and include tremor, slowness, difficulty with balance, swallowing, chewing, and speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems and sleep disruptions; and

WHEREAS, Medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side-effects; and

WHEREAS, Ultimately the medications and treatments lose their effectiveness, generally after four to eight years, leaving the person unable to move, speak or swallow; and

WHEREAS, There is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and

WHEREAS, Increased education and research are needed to help find more effective treatments with fewer side effects and, ultimately, an effective treatment or cure for Parkinson's disease; and

WHEREAS, The federal government, through the National Institutes of Health, the Department of Defense Neurotoxin Exposure Treatment Parkinson's Research Program, the Veterans Affairs Parkinson's Disease Research, Education and Clinical Centers, and other agencies, supports vital work to better understand Parkinson's disease and to find new treatments: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate the month of April as "Parkinson's Awareness Month." We will continue to support research to find better treatments, and eventually, a cure for Parkinson's disease; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide 15 copies of this resolution to Representative Ryckman Sr.

On emergency motion of Rep. Carlin, **HR 6022**, as follows, by Reps. Moxley, Meier, Carlin, Carlson and Finney, was introduced and adopted.

HOUSE RESOLUTION No. **HR 6022**—

A RESOLUTION recognizing the many contributions made by citizens of the Republic of Azerbaijan and that it is in the best interest of the State of Kansas to promote relationships with the Azerbaijani people.

WHEREAS, The Republic of Azerbaijan and the United States of America are long-standing allies, both dearly cherishing the universal values of freedom, democracy and human rights; and

WHEREAS, The State of Kansas and the Republic of Azerbaijan enjoy a strong, vibrant and mutually beneficial economic relationship with the prospect of further growth; and

WHEREAS, It is the custom of the State of Kansas to welcome all who come to our state, especially those who come in the interest of friendship and commerce; and

WHEREAS, It is the policy of the Kansas House of Representatives to recognize the contributions of our allies and the value of maintaining beneficial relationships with the allies of the United States of America, including the contributions made by the Republic of Azerbaijan 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 we recognize the many contributions made by the citizens of the Republic of Azerbaijan and that it is in the best interest of the State of Kansas to promote relationships with Azerbaijan.

Be it further resolved: That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to the United States Speaker of the House of Representatives, the President of the United States Senate, the Secretary of State of the United States Department of State, the Kansas Congressional Delegation and Richard L. Morningstar, the United States Ambassador to the Republic of Azerbaijan.

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

When the Soviet Union collapsed 21 years ago, Azerbaijan became an independent country and is an ally of the United States. Azerbaijan means “Land of Fire”—when they drill for water they get oil. You can see gas flaming out of the ground and pits of tar from the oil.

Two hundred legislators from all over the U.S. traveled to Baku and out into the countryside, some toward a very small, remote 350 year old village where we saw High School students being taught by Peace Corps volunteers from the United States. These business owners want to help Azerbaijan to build a stronger trade relationship with the United States and Western World, with an emphasis on non-oil sector development, improving the business climate, development of social infrastructure and human capital and the successful integration into the world economy.

CONSENT CALENDAR

No objection was made to **SB 51** appearing on the Consent Calendar for the first day.

No objection was made to **SB 28, SB 52, SB 113, SB 216** appearing on the Consent Calendar for the second day.

No objection was made to **SB 85** 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 85, AN ACT concerning insurance; pertaining to proof of motor vehicle liability insurance; amending K.S.A. 2012 Supp. 8-173, 8-1604, 40-3104 and 40-3118 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed.

HB 2037, AN ACT concerning public property; relating to historic and religious displays, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bridges, Kuether, Lane.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed.

Sub HB 2231, AN ACT making and concerning appropriations for fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, 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. 2012 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4227, 79-4804 and 82a-953a and repealing the existing sections, 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, Barker, Becker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, Montgomery, O'Brien, Peck, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Weber.

Nays: Alcala, Ballard, Bideau, Bollier, Bridges, Burroughs, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Meigs, Menghini, Moxley, Pauls, Perry, Peterson, Petty, Phillips, Rooker, Ruiz, Schroeder, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

Mr. Speaker: Major employers in my district need KDOT projects and construction to keep people working. Taking funds promised to KDOT is not what voters in my district want. They want KDOT funds to stay put and promises to be kept. I cannot support cuts for community colleges in my district that help people get back to work with training and education, when so many need that help. I vote no and hope that the final budget will restore these cuts. I vote no on Sub HB 2231. – ED BIDEAU

MR. SPEAKER: The House budget plan funds core state services while reducing the overall tax burden on Kansas taxpayers. This was accomplished through several global amendments aimed at creating an efficient state government rather than relying upon across-the-board cuts. The plan brings approximately \$200 million in savings back into the state budget. The House budget allows the state sales tax to sunset and maintains enough flexibility within the upcoming tax pan to fund transportation projects. For that reason, I vote Yes on **Sub HB 2231**. – RANDY GARBER, WILLIE DOVE, JOHN E. BARKER, JOSH POWELL, SUE BOLDRA, WILL CARPENTER, KEVIN JONES, JACK THIMESCH, KYLE HOFFMAN, SUSAN L. CONCANNON, BILL SUTTON, MIKE HOUSER.

HB 2253, AN ACT concerning abortion; relating to the funding of abortion services; relating to prenatally and postnatally diagnosed conditions; relating to restrictions on late-term abortions; relating to the woman's-right-to-know act; amending K.S.A. 2012 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, 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: Alcala, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Henderson, Hill, Houston, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Osterman, Sawyer.

The bill passed, as amended.

On motion of Rep. Vickrey, 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 recommending a substitute bill to **H Sub for SB 83** be adopted; and the substitute bill be passed.

Committee report to **HB 2047** be adopted; also, on motion of Rep. Brunk be amended on page 1, in line 8, by striking "taxing subdivision" and inserting "municipality"; in line 35, by striking "taxing subdivision" and inserting "municipality";

Also, on motion of Rep. Campbell, **HB 2047** be amended on page 1, in line 20, after "municipality." by inserting "Notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body and publishes such vote as provided in subsection (c).";

Also, on motion of Rep. Menghini to amend **HB 2047**, the motion did not prevail.

Also, on further motion of Rep. Menghini, **HB 2047** be amended on page 2, in line 12, after the period by inserting ""Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property

taxes in the current year.";

Also, roll call was demanded on motion of Rep. Ward to amend **HB 2047** on page 2, following line 12, by inserting:

"Sec. 2. K.S.A. 2012 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 ~~the~~ Kansas Statutes Annotated, and ~~acts amendatory thereof and supplemental amendments~~ 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, 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; \$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 renumbering sections accordingly;

Also on page 2, in line 13, by striking "is" and inserting "and 79-2959 are"

On page 1, in the title, in line 2, after "publication;" by inserting "local ad valorem tax reduction fund;"; in line 3, after "79-2925b" by inserting and 79-2959"; also in line 3, by striking "section" and inserting "sections";

On roll call, the vote was: Yeas 48; Nays 73; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Corbet, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Huebert, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Rooker, Ruiz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson,

Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Kelley, Osterman, Peterson, Sawyer.

The motion of Rep. Ward did not prevail.

Also, on motion of Rep. Hineman, **HB 2047** be amended on page 1, in line 13, before the period by inserting ", adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year"; in line 15, after "property" by inserting "and such increase exceeds changes in the consumer price index"; in line 17, after "year" by inserting ", adjusted to reflect changes in the consumer price index"; in line 33, after "year" by inserting "as provided in subsection (a)";

Also, roll call was demanded on motion to recommend **HB 2047** favorably for passage.

On roll call, the vote was: Yeas 63; Nays 58; Present but not voting: 0; Absent or not voting: 4.

Yeas: Barker, Bideau, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Claeys, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Todd, Vickrey, Victors, Ward, Whipple.

Nays: Alcala, Alford, Ballard, Becker, Boldra, Bollier, Bradford, Bridges, Burroughs, Campbell, Carlin, Cassidy, Christmann, Clayton, Concannon, Davis, Dillmore, Doll, Ewy, Finch, Finney, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Hoffman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Petty, Phillips, Rooker, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Sloan, Sloop, Swanson, Thimesch, Tietze, Trimmer, Waymaster, Weber, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The motion prevailed, and **HB 2047** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 135** be passed.

Committee on **Federal and State Affairs** recommends **HB 2002** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2002," as follows:

"Substitute for HOUSE BILL NO. 2002

By Committee on Federal and State Affairs

"AN ACT concerning the division of post audit; relating to certain financial and security audits; amending K.S.A. 2012 Supp. 46-1106, 46-1118 and 74-4921 and repealing the existing sections; also repealing K.S.A. 74-8707."; and the substitute bill be passed.

(**Sub HB 2002** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **HB 2223** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2223," as follows:

"Substitute for HOUSE BILL NO. 2223

By Committee on Federal and State Affairs

"AN ACT concerning alcoholic beverages; relating to homemade fermented beverages; amending K.S.A. 2012 Supp. 41-102 and 41-104 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2223** was thereupon introduced and read by title.)

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 thereupon introduced and read by title:

HB 2408, AN ACT concerning sales taxation; relating to exemptions; food; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, by Committee on Appropriations.

On motion of Rep. Vickrey, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

On motion of Rep. Vickrey, 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 on motion of Rep. Vickrey, 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 84**. Those members are Reps. Schwab and Menghini.

Committee report recommending a substitute bill to **H Sub for SB 84** be adopted; also, on motion of Rep. Carlson be amended on page 6, in line 31, before "the" by inserting "and thereafter,"; in line 32 by striking "11.233%" and inserting "15.00%"; by striking all in lines 36 through 40;

On page 9, in line 11, before "the" by inserting "and thereafter,"; in line 12, by striking "11.233%" and inserting "15.00%"; by striking all in lines 16 through 20;

Also, on motion of Rep. Schroeder to amend **H Sub for SB 84**, the motion did not prevail. Also, on motion of Rep. Wilson to amend, the motion did not prevail.

Also, on motion of Rep. Carlson, **H Sub for SB 84** be amended on page 5, by striking all in lines 16 through 43; by striking all on pages 6 through 9; on page 10, by

striking all in lines 1 through 25;

And by renumbering sections accordingly;

Also on page 10, in line 26, by striking the first comma and inserting "and"; by striking all following "79-32,120"; in line 27, by striking "3710";

On page 1, in the title, in line 2, by striking "distribution of"; in line 3, by striking "sales tax revenues;"; also in line 3, by striking the first comma and inserting "and"; by striking all following "79-32,120"; in line 4, by striking "79-3620 and 79-3710";

Also, roll call was demanded on motion of Rep. Dillmore to amend **H Sub for SB 84** on page 4, by striking all in lines 23 through 43;

On page 5, by striking all in lines 1 through 15;

And by renumbering sections accordingly;

On page 10, in line 26, by striking "79-32,120,";

On page 1, in the title, in line 2, by striking "income tax deductions;"; in line 3, by striking "79-32,120,";

On roll call, the vote was: Yeas 38; Nays 79; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Ballard, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Davis, Dierks, Dillmore, Edmonds, Finney, Grant, Henderson, Henry, Hibbard, Hill, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Frownfelter, Kleeb, Osterman, Peterson, Rubin, Sawyer, Seiwert, Shultz.

The motion of Rep. Dillmore did not prevail.

Also, on motion of Rep. Hineman to amend **H Sub for SB 84**, the motion was withdrawn. Also, on further motion of Rep. Hineman to amend, the motion did not prevail.

Also, on motion of Rep. Peck to amend **H Sub for SB 84**, Rep. Grant 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. Peck to amend, as amended on motion of Representative Carlson in amendment designated as: fa_2013_sb84_h_1672 on page 10, following line 25, by inserting:

"Sec. 6. K.S.A. 2012 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes 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, less

amounts withheld as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds including refunds authorized under the provisions of K.S.A. 79-3635, and amendments thereto. Such 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. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.

(8) On July 1, 2013, and thereafter, the state treasurer shall credit ~~18.421%~~ all of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to ~~subsection~~ subsections (d) and (e), in the state

highway general fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3710, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 7. K.S.A. 2012 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of 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, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the

credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such 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) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.

(8) On July 1, 2013, and thereafter, the state treasurer shall credit ~~18.421%~~ all of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.7%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to ~~subsection~~ subsections (d) and (e), in the state ~~highway~~ general fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund

created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a, and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3620, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

And by renumbering sections accordingly;

Also on page 10, in line 27, before "are" by inserting "79-3620 and 79-3710";

On page 1, in the title, in line 3, before "amending" by inserting "distribution of sales tax revenues;" ; in line 4, before "and repealing" by inserting "79-3620 and 79-3710";

Roll call was demanded.

On roll call, the vote was: Yeas 24; Nays 93; Present but not voting: 0; Absent or not voting: 8.

Yeas: Brunk, Carpenter, DeGraaf, Esau, Gandhi, Garber, Grosserode, Hildabrand, Houser, Howell, Huebert, Jones, Kahrs, Kelley, Kinzer, McPherson, Montgomery, Peck, Powell, Read, Rhoades, Siegfried, Sutton, Vickrey.

Nays: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll,

Dove, Edmonds, Edwards, Ewy, Finch, Finney, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Proehl, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Sloan, Sloop, Swanson, Thimesch, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Frownfelter, Osterman, Peterson, Rubin, Sawyer, Seiwert, Suellentrop.

The motion of Rep. Peck did not prevail.

Also, roll call was demanded on motion to recommend **H Sub for SB 84** favorably for passage.

On roll call, the vote was: Yeas 82; Nays 37; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Shultz, Siegfried, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcala, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Davis, Dillmore, Edmonds, Finney, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Rooker, Ruiz, Schwartz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer, Seiwert, Suellentrop.

The motion prevailed and **H Sub for SB 84** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 74, SB 75** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 7** be amended on page 5, following line 41, by inserting:

"Sec. 7. K.S.A. 2012 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, 41-308b or K.S.A. 2012 Supp. 41-354, 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 the premises of the state capitol building or on its surrounding premises during an official state function that has been approved by the legislative coordinating council.

(13) 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."

Also on page 5, in line 42, after "41-354" by inserting ", 41-719";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "penalties;" by inserting "relating to consumption of alcoholic beverages;"; in line 3, after "41-354" by inserting ", 41-719"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2387** be passed.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6023**—

By Representative Schwartz

A RESOLUTION congratulating the U.S. 36 Highway Association on its 100th anniversary.

WHEREAS, March 21 marks the 100th anniversary of the U.S. 36 Highway Association; and

WHEREAS, U.S. 36 Highway Association is an organization of over 500 members in cities along the U.S. 36 corridor. This organization seeks general improvement of the highway, promotion of the economic well-being of the communities and enterprises along its route; and

WHEREAS, U.S. 36 Highway Association's vision for the highway is for a four-lane freeway or expressway from Indianapolis, Indiana, to Belleville, Kansas; a high-standard two-lane highway west through Kansas and Colorado to Denver; and a freeway or expressway to Boulder and Estes Park; and

WHEREAS, U.S. 36 Highway stretches all across the northern part of the State of Kansas passing through Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Jewell, Republic, Washington, Marshall, Nemaha, Brown, and Doniphan counties; and

WHEREAS, In 2006, the Annual Treasure Hunt for Phillipsburg was launched with a mission to increase tourism, use of the highway and commerce benefiting all 13 counties that U.S. 36 Highway passes through. This event is promoted state-wide; and

WHEREAS, In promotion of better roads, the Association has as its prime objectives the advancement of business, agriculture, tourism and commercial interests of cities and counties along U.S. 36. Because of its Midway U.S.A. location, U.S. 36 can provide one of the nation's finest highways and become the central point of progress for our communities; and

WHEREAS, The U.S. 36 Highway Association has a strong history in Kansas due to its members' hard work to promote the history and well-being of this highway, and its success should be celebrated throughout the state: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we

congratulate the U.S. 36 Highway Association on its 100th anniversary. We appreciate the great work its members do for the promotion of the highway itself and the cities along the highway; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five copies of this resolution to Representative Schwartz.

REPORT ON ENGROSSED BILLS

S Sub for HB 2022; HB 2047; Sub HB 2231 reported correctly engrossed March 20, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6018 reported correctly enrolled and properly signed on March 20, 2013.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 21, 2013.

Journal of the House

FORTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 21, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Rep. Osterman was excused on verified illness.

Reps. Frownfelter, Peterson and Sawyer were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Nathan Miller, campus pastor, Christ Community Church, Olathe, and guest of Rep. Esau:

Gracious Father,

I thank You for these women and men and their desire to lead, and the ways You have gifted and called each one of them to serve You in this place. Thank You for our nation, for Kansas, and for the individual communities we call home. God, I believe You have brought these leaders here for our good and for Your glory. Help them serve You above all else, and to seek to bring about the common good for all people. Give them integrity and wisdom and unity and joy in the work they do, that as a people we may flourish.

Help us follow Your example: that we would do nothing out of selfish ambition or vain conceit. Rather, in humility that we would value others above ourselves, not merely looking out for our own interests but for the interests of others. And forgive us for our many shortcomings. Father, I ask these things of You not for my own benefit, but for the glory of Your Son Jesus, in whom I trust. Amen.

The Pledge of Allegiance was led by Rep. Menghini.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2409, AN ACT concerning income taxation; relating to credits; alternative-fueled motor vehicles and fueling stations; defining alternative fuel; amending K.S.A. 2012 Supp. 79-32,201 and repealing the existing section, by Committee on Taxation.

HB 2410, AN ACT concerning taxation; relating to income tax credits, renewable and alternative fuels, definitions; amending K.S.A. 2012 Supp. 79-32,201 and 79-34,170 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2408**.

MESSAGE FROM THE SENATE

Announcing passage of **Sub SB 165; SB 203; Sub SB 214; SB 222, SB 226**.

Announcing passage of **HB 2007, HB 2041, HB 2044, HB 2096, HB 2138, HB 2147, HB 2176, HB 2177, HB 2193, HB 2202**.

Announcing passage of **HB 2009**, as amended; **HB 2305**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 165; SB 203; Sub SB 214; SB 222, SB 226.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Schwartz, **HR 6023**, A RESOLUTION congratulating the U.S. 36 Highway Association on its 100th anniversary, was adopted.

There being no objection, the following remarks of Reps. Schwartz and Waymaster are spread upon the Journal:

Remarks by Rep. Schwartz:

This day, March 21st, marks the 100th anniversary of the US 36 Highway Association. It is important to note that only a handful of highway associations are still in existence in this day and time. The secret to this organization's success is due to its strong beginning a century ago and now with the current membership of 500 strong across Kansas and the country. Today, roads, highways and freeways are developed and maintained through state and federal funding. But that was not so in 1913. Rural movers and shakers of the time including auto-club enthusiasts, businessmen and railroad representatives from the thirteen northern tier counties met in Belleville to band together. They elected their first president, Dr. C. W. Coale of Norton, Vice President C. F. Travelute of Marysville and secretary treasurer A.Q. Miller of Belleville. For years, these men and many others followed steadfast to the dream of roadways and infrastructure across a developing continent. They dedicated hard work, raised cash and made long journeys to attend meetings, often sacrificing family time and personal earnings. Kansas Governor George H. Hodges and a few members of the newly formed association took a two car convoy and mapped the route across Kansas where they were welcomed into towns with ceremonies and gatherings. World War I did slow the progress but did not deter the grand scope of this vision and the association members during that time who were known as road-boosters.

Remarks by Rep. Waymaster:

While the first 40 years were focused on road direction and good road conditions across Kansas, the past 60 years the US 36 Highway Association has continued to work with Kansas Department of transportation on the maintenance of the highway and promoting commerce and tourism. This 392-mile two-lane highway stretches border to border and includes three senate districts and six house districts. From Indianapolis to Denver and Estes Park, Colorado, members hold a common objective in promoting travel on US 36. They seek general improvement of the highway, promotion of the economic well-being of the communities and enterprises along its route. Road boosters, auto clubs, business men and entrepreneurs with visions for an infrastructure benefiting commerce and tourism lead the charge. The founders of the US 36 Highway Association recognized that the course of civilization is correlated to the routes of commerce and transportation. The current members' objectives of advancement of business, agriculture, tourism, and commercial interests of the cities and counties along US 36 is an ongoing process of hard work and dedication. In promotion of better roads—and because of our Midway USA location-- US 36 provides one of the nation's finest highways and becomes the central point of progress for the communities along Highway 36.

Adding a boost in tourism for the state and region, the Treasure Hunt was launched in 2006. This now yearly event continues to grow and attract state, national and international attention. Towns along the route organize their activities with the shopping theme of huge garage and antique sales. Thousands of people travel along 36 Highway looking for bargains and spending dollars in a fun form of economic development along this further most northern US highway in Kansas. The third weekend in September is reserved for this unique activity. The forward-thinking Association's vision for US 36 is for a four-lane freeway or expressway from Indianapolis to Belleville, Kansas, and a high-standard two-lane (Super Two) highway west through Kansas and Colorado to Denver. Commerce should not be constricted by narrow shoulders, inadequate bridges, low speed limits or any other factor which would tend to discourage through traffic. US 36, as a major east-west highway and the shortest route between Indianapolis and Denver, should be part of the National Highway System for its entire length. The motto on the US 36 Highway Association's website is appropriate for the state—**Discover Kansas' Best—from East to West.**

Additional remarks by Rep. Schwartz:

It is my pleasure to introduce the US 36 Highway Association members who are with us to the Kansas House: President Chad Kramer and Directors Christiane Cole and Jeff Hofaker. We wish you another 100 years and more of continued success in your endeavor of enhancing the economic growth and safe traveling along the most northern major west/east trafficway across Kansas.

CONSENT CALENDAR

Objection was made to **SB 52, SB 113** appearing on the Consent Calendar; the bills were placed on the Calendar under the heading General Orders.

No objection was made to **SB 51** appearing on the Consent Calendar for the second day.

No objection was made to **SB 28, SB 216** 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 28, AN ACT authorizing the division of emergency management within the adjutant general's department to accept certain real property, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The bill passed.

SB 216, AN ACT concerning public building commissions; relating to municipal universities; amending K.S.A. 12-1758 and 12-1764 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The bill passed.

HB 2047, AN ACT concerning property taxation; relating to revenues produced by property tax levies; votes to increase revenues; publication; amending K.S.A. 2012 Supp. 79-2925b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 53; Present but not voting: 0; Absent or not voting: 4.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Victors, Ward, Whipple.

Nays: Alcala, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Cassidy, Christmann, Clayton, Davis, Dillmore, Doll, Ewy, Finch, Finney, Grant, Hawkins, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Sloan, Sloop, Swanson, Tietze, Trimmer, Wymaster, Weber, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes for **HB 2047**. The relationship in this bill should be focused on our constituents, not local governments.

Local governments have mechanisms to fund services and spending. There are no shortages of tax payer funded and private sector funded lobbyists that promote their own spending interests and/or their ideologies. However, no one is here to represent the interest of the tax payers except us, the representatives of the people.

On their behalf I am a "yes." This bill is about representing the constituents....our boss, the tax payer and providing them with a little more light on this subject. – STEVEN R. BRUNK

MR. SPEAKER: **HB 2047**, as amended, will increase transparency by requiring local government to hold a vote in order to increase property taxes. Governments will still be free to raise ad valorem revenue as long as they approve it in a separate vote outside of the budget vote. It's important for homeowners to know that when they open their property tax bill to a higher amount than the previous year, it's because elected officials voted to do so. This bill will keep property taxes from trending ever upward. For this reason, I vote YES on **HB 2047**. – WILL CARPENTER, KEVIN JONES, KYLE D. HOFFMAN, BILL SUTTON, RANDY GARBER, SUSAN CONCANNON, JACK THIMESCH, JOE SEIWERT, MARTY READ, J. R. CLAEYS, WILLIE DOVE, TRAVIS COUTURE-LOVELADY, JOHN E. BARKER, ED BIDEAU, JOSH POWELL, MARK HUTTON, CHARLES MACHEERS, JOHN RUBIN, JOHN BRADFORD, SUE BOLDR

H Sub for SB 83, AN ACT concerning taxation; relating to delinquent tax liabilities; service fees, remittance; income tax deductions and modifications; severance tax; sales tax; amending K.S.A. 79-32,109 and K.S.A. 2012 Supp. 75-5162, 79-32,117, 79-32,118, 79-32,266, 79-3620 and 79-4217 and repealing the existing sections; also repealing K.S.A. 79-3632 and K.S.A. 2012 Supp. 79-32,117n and 79-3639a, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 25; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber.

Nays: Alcalá, Burroughs, Campbell, Carlin, Dillmore, Finney, Grant, Henderson, Henry, Houston, Kuether, Lane, Meier, Menghini, Pauls, Ruiz, Sloop, Tietze, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The substitute bill passed.

H Sub for SB 84, AN ACT concerning taxation; relating to income tax rates, adjustment, procedure and requirements; income tax deductions; amending K.S.A. 2012 Supp. 79-32,110 and 79-32,120 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 39; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Clayton, Davis, Dillmore, Edmonds, Finney, Grant, Henderson, Henry, Hill, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Phillips, Rooker, Ruiz, Schwartz, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Frownfelter, Osterman, Peterson, Sawyer.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: This bill is a classic tax shift. It raises taxes by almost \$400 million in order to fund tax cuts that primarily benefit the wealthiest Kansans. The massive tax cut passed by this body last year gives an average cut of almost \$10,000 to people who make over \$250,000 a year, while people who make less than \$25,000 a year actually experience a tax increase. This bill helps fund our Robin Hood in reverse tax policy. We vote no on **H Sub for SB 84**. — PATRICIA M. SLOOP, GAIL FINNEY, HAROLD LANE, JOHN ALCALA, VIRGIL WEIGEL, ANNIE KUETHER, RODERICK HOUSTON, CAROLYN L. BRIDGES

MR. SPEAKER: We vote NO on **H Sub for SB 84**. This bill represents a \$392 million tax increase over the next 5 years on hardworking Kansas taxpayers. Now is not the time to increase taxes on the middle class, the very people who have borne the brunt of this recession, in order to fund more tax breaks for the wealthy and corporations. — PAUL DAVIS, BARBARA BALLARD, JULIE MENGHINI, TOM BURROUGHS, BRANDON WHIPPLE, BRODERICK HENDERSON, JOHN WILSON, VALDENIA WINN, NANCY LUSK, SYDNEY CARLIN, ANNIE TIETZE, ED TRIMMER

MR. SPEAKER: Let's see...this bill is a \$392 million tax increase on the middle class and low income Kansans. It reduces taxes for the upper 10% but raises taxes on the poorest among us. It robs from the poor to give to the rich. It fails to solve the long-term deficit problems created by last year's tax cuts for the wealthy and big corporations. Mr. Speaker, I don't think so. I vote no on **H Sub for SB 84**. — BOB GRANT

MR. SPEAKER: I greatly appreciate restored funding to KDOT which will benefit our largest employers in the 9th District. I still have very strong concerns about cuts to our two community colleges that provide hope and retraining to those out of work. Due to the restoration of funding for KDOT I am voting for the bill, knowing that there will be further negotiations and conference committee reports to come. My support of the final product will depend on the impact on KDOT, our employers and schools in our district. I vote yes on **H Sub for SB 84**. — ED BIDEAU

MR. SPEAKER: **H Sub for SB 84**, as amended, builds on the income tax reductions passed last year and ensures continued tax cuts for all Kansans. The tax plan lowers the state sales tax and includes provisions for lowering the income tax dependent on state revenue growth. I'm especially pleased that poor workers will receive a larger share of the income tax reduction. The tax plan also fully funds T-Works and the state highway system while leaving a \$390 million ending balance in FY2014. For this reason, I vote yes on **H Sub for SB 84**. — J. DAVID CRUM, RICHARD CARLSON, WILLIE DOVE, JOE EDWARDS, SHANTI GANDHI, JOHN BRADFORD, DENNIS HEDKE, RICHARD J. PROEHL, PETE DEGRAAF, MARC RHOADES

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Carlson, the House nonconcurrent in Senate amendments to **HB 2059** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Carlson, Schwab and Sawyer as

conferees on the part of the House.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Goico in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Goico, Committee of the Whole report, as follows, was adopted: Recommended that **SB 59** be passed.

Committee report to **SB 56** be adopted; also, on motion of Rep. Waymaster be amended on page 6, in line 18, by striking "by the"; and the bill be passed as amended.

Committee report to **Sub SB 57** be adopted; and the substitute bill be passed as amended.

Committee report to **SB 120** be adopted; and the bill be passed as amended.

Committee report to **SB 102** be adopted; and the bill be passed as amended.

Committee report to **SB 20** be adopted; and the bill be passed as amended.

Committee report to **SB 81** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 1** be amended on page 1, in line 14, by striking "three" and inserting "two"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 2** be amended on page 2, in line 29, by striking "may" and inserting "shall"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 88** be amended on page 1, in line 9, by striking "articles 54, 55 or 56 of"; also in line 9, by striking the second "or"; by striking all in line 10; in line 11, by striking "6421,,"; and the bill be passed as amended.

Committee on **Education** recommends **SB 22** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 22," as follows:

"House Substitute for SENATE BILL NO. 22

By Committee on Education

"AN ACT concerning schools; enacting the corporate education tax credit scholarship program act; providing for educational scholarships; authorizing a tax credit; amending K.S.A. 2012 Supp. 72-6407 and 79-32,138 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 22** was thereupon introduced and read by title.)

Committee on **Energy and Environment** recommends **HB 2101** be amended on page 13, in line 15, by striking "1.5%" and inserting "0.5%"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 163** be passed.

Committee on **Insurance** recommends **SB 24, SB 25, SB 26, SB 166** 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 **Judiciary** recommends **SB 124** be amended on page 2, in line 7, by striking all after "(b)"; by striking all in lines 8 through 10 and inserting "(1) Except as provided in subsection (b)(3), an arrangement, contract, agreement, trust, understanding or combination shall not be deemed a trust pursuant to the Kansas restraint of trade act and shall not be deemed unlawful, void, prohibited or wrongful under any provision of

the Kansas restraint of trade act if that arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce. 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.

(2) Whether an arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce in view of all of the facts and circumstances, shall include, but not be limited to, an analysis of the following factors:

- (A) Specific information about the relevant industry;
- (B) whether the history, nature, and effect of the restraint stimulates or harms interbrand competition;
- (C) whether there were legitimate business justifications; and
- (D) whether the defendant involved has market power.

(3) The reasonableness standard described in subsections (b)(1) and (b)(2) shall not apply to any claim of horizontal price-fixing between or among competitors that otherwise violates the Kansas restraint of trade act. A manufacturer or wholesaler that also engages in retail sales shall not be considered engaged in horizontal conduct with respect to sales the manufacturer or wholesaler makes to third-party retailers.";

Also on page 2, in line 11, by striking all after "(c)", by striking all in lines 12 through 23; in line 24, by striking all before "The"; in line 26, by striking "or becomes"; in line 27, by striking "subject to";

On page 4, in line 33, after "(b)" by inserting "(1)"; in line 35, by striking all after "by"; by striking all in lines 36 and 37; in line 38, by striking all before "shall" and inserting "the Kansas restraint of trade act"; in line 41, by striking "this" and inserting "the Kansas restraint of trade"; in line 43, after "defendant." by inserting "(2)";

On page 5, in line 3, after "recover" by inserting "either, but not both: (A)"; also in line 3, after "sustained" by inserting "; or (B) upon a showing of willful or wanton conduct by the defendant, the full consideration or sum paid by such person for any goods, wares, merchandise and articles included in or advanced or controlled in price by such defendant, or the full amount of money borrowed"; in line 4, after the period by inserting "(3)"; in line 6, by striking "such acts" and inserting "the Kansas restraint of trade act"; following line 14, by inserting:

"New Sec. 6. Section 1 and the amendments to K.S.A. 50-101, 50-158 and 50-161 by this act shall be applied retroactively to any cause of action premised on any provision of the Kansas restraint of trade act repealed by this act, and any such cause of action that has accrued as of March 1, 2013, shall be abated, but such causes of action that were pending in any court before March 1, 2013, shall not be abated. All other non-remedial provisions of this section shall be applied prospectively.";

And by renumbering sections accordingly; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Houston to replace Rep. Dillmore on Committee on Taxation for March 21.

Also, the appointment of Rep. Menghini to replace Rep. Dillmore on Committee on Elections for March 22.

Also, the appointment of Rep. Meier to replace Rep. Sawyer on Committee on Elections for March 22.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Friday, March 22, 2013.

Journal of the House

FORTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 22, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Dillmore and Osterman were excused on verified illness.

Reps. Edmonds, Frownfelter, Peterson and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father in Heaven,
We thank You for this day
and ask that as we go throughout the day
that You constantly remind us of Your willingness
to give wisdom and guidance.
As this body of leaders deal with resolutions
that may be contentious and controversial,
help them to stay calm and collected,
not distraught or frustrated.
Help them to be willing to listen to one another
and give due respect.
Give them Your peace that passes all understanding.
We are reminded of Your words to us,
“Learn from me, for I am meek and humble of heart.”
Help all of us to be good students of this lesson.
In Jesus’ Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Vickrey.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **SB 203; Sub SB 214; SB 226.**

Taxation: **HB 2409, HB 2410; Sub SB 165; SB 222.**

MESSAGES FROM THE SENATE

Announcing passage of **HB 2030.**

Announcing passage of **HB 2078**, as amended; **HB 2143**, as amended by **S Sub for HB 2143**; **Sub HB 2183**, as amended; **HB 2319**, as amended.

The Senate nonconcurrs in House amendments to **H Sub for SB 83**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 84**, requests a conference and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2059**, and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

Also, announcing passage of **HB 2015**, as amended; **Sub HB 2017**, as amended; **HB 2025**, as amended; **HB 2028**, as amended; **HB 2049**, as amended; **HB 2093**, as amended by **S Sub for HB 2093**; **HB 2109**, as amended; **HB 2120**, as amended; **HB 2203**, as amended; **HB 2204**, as amended; **HB 2218**, as amended; **HB 2318**, as amended; **HB 2349**, as amended; **HB 2357**, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 83**.

Speaker Merrick thereupon appointed Reps. Carlson, Schwab and Sawyer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **H Sub for SB 84**.

Speaker Merrick thereupon appointed Reps. Carlson, Schwab and Sawyer as conferees on the part of the House.

CONSENT CALENDAR

Objection was made to **SB 26** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

No objection was made to **SB 24**, **SB 25**, **SB 166** appearing on the Consent Calendar for the first day.

No objection was made to **SB 51** 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 51, AN ACT concerning insurance for certain banker's associations; amending K.S.A. 40-2222 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb,

Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.

The bill passed.

SB 20, AN ACT concerning civil procedure; relating to temporary restraining orders; docket fees and costs; poverty affidavit; amending K.S.A. 60-903 and K.S.A. 2012 Supp. 60-2001 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 56, AN ACT concerning county fairs; transferring recognition of county fairs and fair associations from the secretary of agriculture to the board of county commissioners; amending K.S.A. 19-1561b and K.S.A. 2012 Supp. 2-127, 2-129, 2-129i, 2-131b, 2-131d, 2-131e, 2-132, 2-137 and 2-144d and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell,

Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.
The bill passed, as amended.

Sub SB 57, AN ACT concerning agriculture; relating to animal health; poultry improvement; domesticated deer; amending K.S.A. 2012 Supp. 2-907 and 47-2101 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 47-650, 47-651, 47-653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-666, 47-667, 47-672 and 47-2101a, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 40; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bruchman, Carlin, Carlson, Carpenter, Cassidy, Christmann, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Esau, Ewy, Finch, Finney, Gandhi, Goico, Gonzalez, Hawkins, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Jennings, Johnson, Kelly, Kinzer, Kleeb, Lane, Lunn, Meigs, Merrick, Montgomery, Moxley, O'Brien, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Wilson, Wolfe Moore.

Nays: Bradford, Bridges, Brunk, Burroughs, Couture-Lovelady, Campbell, Claeys, DeGraaf, Edwards, Garber, Grant, Grosserode, Hedke, Henry, Hildabrand, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kuether, Lusk, Macheers, Mast, McPherson, Meier, Menghini, Pauls, Peck, Powell, Rubin, Ruiz, Sloop, Suellentrop, Sutton, Ward, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.
The substitute bill passed, as amended.

SB 59, AN ACT concerning the attorney general; relating to payment of reward for persons providing certain information, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell,

Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleebl, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.
The bill passed.

SB 81, AN ACT concerning open records; relating to requests for criminal justice information; public officials' identifying information; amending K.S.A. 2012 Supp. 45-220 and 45-221 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleebl, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.
The bill passed, as amended.

SB 102, AN ACT concerning the office of the state treasurer; relating to daily deposits; amending K.S.A. 75-3727a and K.S.A. 2012 Supp. 75-4203 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleebl,

Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 120, AN ACT concerning agriculture; enacting the Kansas farmers' market promotion act, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 51; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bruchman, Brunk, Burroughs, Carlson, Carpenter, Cassidy, Clayton, Concannon, Crum, Davis, Dierks, Doll, Dove, Ewy, Finch, Gandhi, Goico, Gonzalez, Grosserode, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Huebert, Jennings, Johnson, Kelly, Kleeb, Lunn, Lusk, Macheers, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Perry, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sutton, Swanson, Thimesch, Trimmer, Vickrey, Waymaster, Wilson, Wolfe Moore.

Nays: Alcala, Ballard, Bradford, Bridges, Couture-Lovelady, Campbell, Carlin, Christmann, Claeys, Corbet, DeGraaf, Edwards, Esau, Finney, Garber, Grant, Hawkins, Hedke, Henderson, Henry, Hildabrand, Houston, Howell, Hutton, Jones, Kahrs, Kelley, Kinzer, Kuether, Lane, Mast, McPherson, Menghini, Pauls, Peck, Petty, Powell, Rhoades, Ruiz, Ryckman Jr., Seiwert, Sloop, Suellentrop, Tietze, Todd, Victors, Ward, Weber, Weigel, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Proehl, the House nonconcurrent in Senate amendments to **HB 2009** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Proehl, Ryckman Sr. and Perry as conferees on the part of the House.

On motion of Rep. Hedke, the House concurred in Senate amendments to **HB 2305**, AN ACT concerning the Kansas storage tank act; relating to secondary containment of underground storage tanks; amending K.S.A. 2012 Supp. 65-34,102 and 65-34,103 and repealing the existing sections.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson,

Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleebl, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Edmonds, Frownfelter, Osterman, Peterson, Sawyer.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2381** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 37** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **SB 149** be amended on page 12, by striking all in lines 42 and 43;

On page 13, by striking all in lines 1 through 9;

On page 15, in line 26, by striking all after "(1)"; by striking all in lines 27 and 28; in line 29, by striking "(2)"; and by renumbering remaining subparagraphs accordingly;

On page 28, by striking all in lines 2 through 12; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 187** be amended on page 1, in line 10, after "include" by inserting a comma; also in line 10 after "to" by inserting a comma;

On page 4, in line 29, by striking "75%" and inserting "85%";

On page 5, in line 11, after "the" by inserting "workers compensation appeals"; in line 33, by striking "(i)(1)" and inserting "(l)(1)";

On page 7, in line 9, by striking ", except as provided for the first"; in line 10, by striking "members appointed to the board under subsection (f)"; in line 34, by striking "board" and inserting "and employment security boards";

On page 9, in line 3, after "the" by inserting "workers compensation and employment security boards";

On page 10, in line 35, after the second "the" by inserting "employment security";

On page 11, in line 22, after "the" by inserting "employment security"; in line 37, by

striking "a" and inserting "an employment security";

On page 12, in line 26, after "the" by inserting "workers compensation and employment security boards"; in line 28, after "the" by inserting "employment security"; in line 35, by striking "board" and inserting "employment security board of review"; in line 38, by striking "board"; also in line 38, after "member" by inserting "of the employment security board of review"; in line 39, after "the" by inserting "employment security";

On page 13, in line 3, by striking "board" and inserting "employment security board of review"; in line 10, by striking "board" and inserting "employment security board of review"; in line 17, by striking "board" and inserting "employment security board of review"; in line 27, by striking "board" and inserting "employment security board of review"; in line 34, by striking "board" and inserting "employment security board of review";

On page 14, in line 5, by striking "board" and inserting "employment security board of review"; in line 8, by striking the second "the" and inserting "such"; in line 11, by striking "the" and inserting "such"; in line 16, after "the" by inserting "employment security"; in line 24, by striking "board" and inserting "employment security board of review"; following line 35, by inserting:

"Sec. 4. K.S.A. 2012 Supp. 44-508 is hereby amended to read as follows: 44-508. As used in the workers compensation act:

(a) "Employer" includes: (1) Any person or body of persons, corporate or unincorporated, and the legal representative of a deceased employer or the receiver or trustee of a person, corporation, association or partnership; (2) the state or any department, agency or authority of the state, any city, county, school district or other political subdivision or municipality or public corporation and any instrumentality thereof; and (3) for the purposes of community service work, the entity for which the community service work is being performed and the governmental agency which assigned the community service work, if any, if either such entity or such governmental agency has filed a written statement of election with the director to accept the provisions under the workers compensation act for persons performing community service work and in such case such entity and such governmental agency shall be deemed to be the joint employer of the person performing the community service work and both shall have the rights, liabilities and immunities provided under the workers compensation act for an employer with regard to the community service work, except that the liability for providing benefits shall be imposed only on the party which filed such election with the director, or on both if both parties have filed such election with the director; for purposes of community service work, "governmental agency" shall not include any court or any officer or employee thereof and any case where there is deemed to be a "joint employer" shall not be construed to be a case of dual or multiple employment.

(b) "Workman" or "employee" or "worker" means any person who has entered into the employment of or works under any contract of service or apprenticeship with an employer. Such terms shall include, but not be limited to: Executive officers of corporations; professional athletes; persons serving on a volunteer basis as duly authorized law enforcement officers, attendants, as defined in subsection ~~(d)~~ (f) of K.S.A. 65-6112, and amendments thereto, drivers of ambulances as defined in subsection ~~(b)~~ (d) of K.S.A. 65-6112, and amendments thereto, firefighters, but only to

the extent and during such periods as they are so serving in such capacities; persons employed by educational, religious and charitable organizations, but only to the extent and during the periods that they are paid wages by such organizations; persons in the service of the state, or any department, agency or authority of the state, any city, school district, or other political subdivision or municipality or public corporation and any instrumentality thereof, under any contract of service, express or implied, and every official or officer thereof, whether elected or appointed, while performing official duties; persons in the service of the state as volunteer members of the Kansas department of civil air patrol, but only to the extent and during such periods as they are officially engaged in the performance of functions specified in K.S.A. 48-3302, and amendments thereto; volunteers in any employment, if the employer has filed an election to extend coverage to such volunteers; minors, whether such minors are legally or illegally employed; and persons performing community service work, but only to the extent and during such periods as they are performing community service work and if an election has been filed an election to extend coverage to such persons. Any reference to an employee who has been injured shall, where the employee is dead, include a reference to the employee's dependents, to the employee's legal representatives, or, if the employee is a minor or an incapacitated person, to the employee's guardian or conservator. Unless there is a valid election in effect which has been filed as provided in K.S.A. 44-542a, and amendments thereto, such terms shall not include individual employers, limited liability company members, partners or self-employed persons.

(c) (1) "Dependents" means such members of the employee's family as were wholly or in part dependent upon the employee at the time of the accident or injury.

(2) "Members of a family" means only surviving legal spouse and children; or if no surviving legal spouse or children, then parents or grandparents; or if no parents or grandparents, then grandchildren; or if no grandchildren, then brothers and sisters. In the meaning of this section, parents include stepparents, children include stepchildren, grandchildren include stepgrandchildren, brothers and sisters include stepbrothers and stepsisters, and children and parents include that relation by legal adoption. In the meaning of this section, a surviving spouse shall not be regarded as a dependent of a deceased employee or as a member of the family, if the surviving spouse shall have for more than six months willfully or voluntarily deserted or abandoned the employee prior to the date of the employee's death.

(3) "Wholly dependent child or children" means:

(A) A birth child or adopted child of the employee except such a child whose relationship to the employee has been severed by adoption;

(B) a stepchild of the employee who lives in the employee's household;

(C) any other child who is actually dependent in whole or in part on the employee and who is related to the employee by marriage or consanguinity; or

(D) any child as defined in subsection (c)(3)(A), (3)(B) or (3)(C) who is less than 23 years of age and who is not physically or mentally capable of earning wages in any type of substantial and gainful employment or who is a full-time student attending an accredited institution of higher education or vocational education.

(d) "Accident" means an undesigned, sudden and unexpected traumatic event, usually of an afflictive or unfortunate nature and often, but not necessarily, accompanied by a manifestation of force. An accident shall be identifiable by time and place of occurrence, produce at the time symptoms of an injury, and occur during a

single work shift. The accident must be the prevailing factor in causing the injury. "Accident" shall in no case be construed to include repetitive trauma in any form.

(e) "Repetitive trauma" refers to cases where an injury occurs as a result of repetitive use, cumulative traumas or microtraumas. The repetitive nature of the injury must be demonstrated by diagnostic or clinical tests. The repetitive trauma must be the prevailing factor in causing the injury. "Repetitive trauma" shall in no case be construed to include occupational disease, as defined in K.S.A. 44-5a01, and amendments thereto.

In the case of injury by repetitive trauma, the date of injury shall be the earliest of:

(1) The date the employee, while employed for the employer against whom benefits are sought, is taken off work by a physician due to the diagnosed repetitive trauma;

(2) the date the employee, while employed for the employer against whom benefits are sought, is placed on modified or restricted duty by a physician due to the diagnosed repetitive trauma;

(3) the date the employee, while employed for the employer against whom benefits are sought, is advised by a physician that the condition is work-related; or

(4) the last day worked, if the employee no longer works for the employer against whom benefits are sought.

In no case shall the date of accident be later than the last date worked.

(f) (1) "Personal injury" and "injury" mean any lesion or change in the physical structure of the body, causing damage or harm thereto. Personal injury or injury may occur only by accident, repetitive trauma or occupational disease as those terms are defined.

(2) An injury is compensable only if it arises out of and in the course of employment. An injury is not compensable because work was a triggering or precipitating factor. An injury is not compensable solely because it aggravates, accelerates or exacerbates a preexisting condition or renders a preexisting condition symptomatic.

(A) An injury by repetitive trauma shall be deemed to arise out of employment only if:

(i) The employment exposed the worker to an increased risk or hazard which the worker would not have been exposed in normal non-employment life;

(ii) the increased risk or hazard to which the employment exposed the worker is the prevailing factor in causing the repetitive trauma; and

(iii) the repetitive trauma is the prevailing factor in causing both the medical condition and resulting disability or impairment.

(B) An injury by accident shall be deemed to arise out of employment only if:

(i) There is a causal connection between the conditions under which the work is required to be performed and the resulting accident; and

(ii) the accident is the prevailing factor causing the injury, medical condition, and resulting disability or impairment.

(3) (A) The words "arising out of and in the course of employment" as used in the workers compensation act shall not be construed to include:

(i) Injury which occurred as a result of the natural aging process or by the normal activities of day-to-day living;

(ii) accident or injury which arose out of a neutral risk with no particular employment or personal character;

(iii) accident or injury which arose out of a risk personal to the worker; or
(iv) accident or injury which arose either directly or indirectly from idiopathic causes.

(B) The words "arising out of and in the course of employment" as used in the workers compensation act shall not be construed to include injuries to the employee occurring while the employee is on the way to assume the duties of employment or after leaving such duties, the proximate cause of which injury is not the employer's negligence. An employee shall not be construed as being on the way to assume the duties of employment or having left such duties at a time when the worker is on the premises owned or under the exclusive control of the employer or on the only available route to or from work which is a route involving a special risk or hazard connected with the nature of the employment that is not a risk or hazard to which the general public is exposed and which is a route not used by the public except in dealings with the employer. An employee shall not be construed as being on the way to assume the duties of employment, if the employee is a provider of emergency services responding to an emergency.

(C) The words, "arising out of and in the course of employment" as used in the workers compensation act shall not be construed to include injuries to employees while engaged in recreational or social events under circumstances where the employee was under no duty to attend and where the injury did not result from the performance of tasks related to the employee's normal job duties or as specifically instructed to be performed by the employer.

(g) "Prevailing" as it relates to the term "factor" means the primary factor, in relation to any other factor. In determining what constitutes the "prevailing factor" in a given case, the administrative law judge shall consider all relevant evidence submitted by the parties.

(h) "Burden of proof" means the burden of a party to persuade the trier of facts by a preponderance of the credible evidence that such party's position on an issue is more probably true than not true on the basis of the whole record unless a higher burden of proof is specifically required by this act.

(i) "Director" means the director of workers compensation as provided for in K.S.A. 75-5708, and amendments thereto.

(j) "Health care provider" means any person licensed, by the proper licensing authority of this state, another state or the District of Columbia, to practice medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry, audiology or psychology.

(k) "Secretary" means the secretary of labor.

(l) "Construction design professional" means any person who is an architect, professional engineer, landscape architect or land surveyor who has been issued a license by the state board of technical professions to practice such technical profession in Kansas or any corporation organized to render professional services through the practice of one or more of such technical professions in Kansas under the professional corporation law of Kansas or any corporation issued a certificate of authorization under K.S.A. 74-7036, and amendments thereto, to practice one or more of such technical professions in Kansas.

(m) "Community service work" means: (1) Public or community service performed as a result of a contract of diversion or of assignment to a community corrections

program or conservation camp or suspension of sentence or as a condition of probation or in lieu of a fine imposed by court order; or (2) public or community service or other work performed as a requirement for receipt of any kind of public assistance in accordance with any program administered by the secretary of social and rehabilitation services.

(n) "Utilization review" means the initial evaluation of appropriateness in terms of both the level and the quality of health care and health services provided a patient, based on accepted standards of the health care profession involved. Such evaluation is accomplished by means of a system which identifies the utilization of health care services above the usual range of utilization for such services, which is based on accepted standards of the health care profession involved, and which refers instances of possible inappropriate utilization to the director for referral to a peer review committee.

(o) "Peer review" means an evaluation by a peer review committee of the appropriateness, quality and cost of health care and health services provided a patient, which is based on accepted standards of the health care profession involved and which is conducted in conjunction with utilization review.

(p) "Peer review committee" means a committee composed of health care providers licensed to practice the same health care profession as the health care provider who rendered the health care services being reviewed.

(q) "Group-funded self-insurance plan" includes each group-funded workers compensation pool, which is authorized to operate in this state under K.S.A. 44-581 through 44-592, and amendments thereto, each municipal group-funded pool under the Kansas municipal group-funded pool act which is covering liabilities under the workers compensation act, and any other similar group-funded or pooled plan or arrangement that provides coverage for employer liabilities under the workers compensation act and is authorized by law.

(r) On and after the effective date of this act, "workers compensation board" or "board" means the workers compensation appeals board established under K.S.A. 44-555c, and amendments thereto.

(s) "Usual charge" means the amount most commonly charged by health care providers for the same or similar services.

(t) "Customary charge" means the usual rates or range of fees charged by health care providers in a given locale or area.

(u) "Functional impairment" means the extent, expressed as a percentage, of the loss of a portion of the total physiological capabilities of the human body as established by competent medical evidence and based on the fourth edition of the American medical association guides to the evaluation of impairment, if the impairment is contained therein.

(v) "Authorized treating physician" means a licensed physician or other health care provider authorized by the employer or insurance carrier or both, or appointed pursuant to court-order to provide those medical services deemed necessary to diagnose and treat an injury arising out of and in the course of employment.

(w) "Mail" means the use of the United States postal service or other land based delivery service or transmission by electronic means, including delivery by fax, e-mail or other electronic delivery method designated by the director of workers compensation.

Sec. 5. K.S.A. 44-510j is hereby amended to read as follows: 44-510j. When an employer's insurance carrier or a self-insured employer disputes all or a portion of a bill

for services rendered for the care and treatment of an employee under this act, the following procedures apply:

(a) (1) The employer or carrier shall notify the service provider within 30 days of receipt of the bill of the specific reason for refusing payment or adjusting the bill. Such notice shall inform the service provider that additional information may be submitted with the bill and reconsideration of the bill may be requested. The provider shall send any request for reconsideration within 30 days of receiving written notice of the bill dispute. If the employer or carrier continues to dispute all or a portion of the bill after receiving additional information from the provider, the employer, carrier or provider may apply for an informal hearing before the director.

(2) If a provider sends a bill to such employer or carrier and receives no response within 30 days as allowed in subsection (a) and if a provider sends a second bill and receives no response within 60 days of the date the provider sent the first bill, the provider may apply for an informal hearing before the director.

(3) Payments shall not be delayed beyond 60 days for any amounts not in dispute. Acceptance by any provider of a payment amount which is less than the full amount charged for the services shall not affect the right to have a review of the claim for the outstanding or remaining amounts.

(b) The application for informal hearing shall include copies of the disputed bills, all correspondence concerning the bills and any additional written information the party deems appropriate. When anyone applies for an informal hearing before the director, copies of the application shall be sent to all parties to the dispute and the employee. Within 20 days of receiving the application for informal hearing, the other parties to the dispute shall send any additional written information deemed relevant to the dispute to the director.

(c) The director or the director's designee shall hold the informal hearing to hear and determine all disputes as to such bills and interest due thereon. Evidence in the informal hearing shall be limited to the written submissions of the parties. The informal hearing may be held by electronic means. Any employer, carrier or provider may personally appear in or be represented at the hearing. If the parties are unable to reach a settlement regarding the dispute, the officer hearing the dispute shall enter an order so stating.

(d) After the entry of the order indicating that the parties have not settled the dispute after the informal hearing, the director shall schedule a formal hearing.

(1) Prior to the date of the formal hearing, the director may conduct a utilization review concerning the disputed bill. The director shall develop and implement, or contract with a qualified entity to develop and implement, utilization review procedures relating to the services rendered by providers and facilities, which services are paid for in whole or in part pursuant to the workers compensation act. The director may contract with one or more private foundations or organizations to provide utilization review of service providers pursuant to the workers compensation act. Such utilization review shall result in a report to the director indicating whether a provider improperly utilized or otherwise rendered or ordered unjustified treatment or services or that the fees for such treatment or services were excessive and a statement of the basis for the report's conclusions. After receiving the utilization review report, the director also may order a peer review. A copy of such reports shall be provided to all parties to the dispute at least 20 days prior to the formal hearing. No person shall be subject to civil liability for libel,

slander or any other relevant tort cause of action by virtue of performing a peer or utilization review under contract with the director.

(2) The formal hearing shall be conducted by hearing officers, the medical administrator or both as appointed by the director. During the formal hearing parties to the dispute shall have the right to appear or be represented and may produce witnesses, including expert witnesses, and such other relevant evidence as may be otherwise allowed under the workers compensation act. If the director finds that a provider or facility has made excessive charges or provided or ordered unjustified treatment, services, hospitalization or visits, the provider or facility may, subject to the director's order, receive payment pursuant to this section from the carrier, employer or employee for the excessive fees or unjustified treatment, services, hospitalization or visits and such provider may be ordered to repay any fees or charges collected therefor. If it is determined after the formal hearing that a provider improperly utilized or otherwise rendered or ordered unjustified treatment or services or that the fees for such treatment or services were excessive, the director may provide a report to the licensing board of the service provider with full documentation of any such determination, except that no such report shall be provided until after judicial review if the order is appealed. Any decision rendered under this section may be reviewed by the workers compensation appeals board. A party must file a notice of appeal within 10 days of the issuance of any decision under this section. The record on appeal shall be limited only to the evidence presented to the hearing officer. The decision of the director shall be affirmed unless the board determines that the decision was not supported by substantial competent evidence.

(e) By accepting payment pursuant to this section for treatment or services rendered to an injured employee, the provider shall be deemed to consent to submitting all necessary records to substantiate the nature and necessity of the service or charge and other information concerning such treatment to utilization review under this section. Such health care provider shall comply with any decision of the director pursuant to this section.

(f) Except as provided in K.S.A. 60-437, and amendments thereto, and this section, findings and records which relate to utilization and peer review conducted pursuant to this section shall be privileged and shall not be subject to discovery, subpoena or other means of legal compulsion for release to any person or entity and shall not be admissible in evidence in any judicial or administrative proceeding, except those proceedings authorized pursuant to this section. In any proceedings where there is an application by an employee, employer, insurance carrier or the workers compensation fund for a hearing pursuant to K.S.A. 44-534a, and amendments thereto, for a change of medical benefits which has been filed after a health care provider, employer, insurance carrier or the workers compensation fund has made application to the medical services section of the division for the resolution of a dispute or matter pursuant to the provisions of this section, all reports, information, statements, memoranda, proceedings, findings and records which relate to utilization and peer review including the records of contract reviewers and findings and records of the medical services section of the division shall be admissible at the hearing before the administrative law judge on the issue of the medical benefits to which an employee is entitled.

(g) A provider may not improperly overcharge or charge for services which were not provided for the purpose of obtaining additional payment. Any dispute regarding

such actions shall be resolved in the same manner as other bill disputes as provided by this section. Any violation of the provisions of this section or K.S.A. 44-510i, and amendments thereto, which is willful or which demonstrates a pattern of improperly charging or overcharging for services rendered pursuant to this act constitutes grounds for the director to impose a civil fine not to exceed \$5,000. Any civil fine imposed under this section shall be subject to review by the board. All moneys received for civil fines imposed under this section shall be deposited in the state treasury to the credit of the workers compensation fund.

(h) Any health care provider, nurse, physical therapist, any entity providing medical, physical or vocational rehabilitation services or providing reeducation or training pursuant to K.S.A. 44-510g, and amendments thereto, medical supply establishment, surgical supply establishment, ambulance service or hospital which accept the terms of the workers compensation act by providing services or material thereunder shall be bound by the fees approved by the director and no injured employee or dependent of a deceased employee shall be liable for any charges above the amounts approved by the director. If the employer has knowledge of the injury and refuses or neglects to reasonably provide the services of a health care provider required by this act, the employee may provide the same for such employee, and the employer shall be liable for such expenses subject to the regulations adopted by the director. No action shall be filed in any court by a health care provider or other provider of services under this act for the payment of an amount for medical services or materials provided under the workers compensation act and no other action to obtain or attempt to obtain or collect such payment shall be taken by a health care provider or other provider of services under this act, including employing any collection service, until after final adjudication of any claim for compensation for which an application for hearing is filed with the director under K.S.A. 44-534, and amendments thereto. In the case of any such action filed in a court prior to the date an application is filed under K.S.A. 44-534, and amendments thereto, no judgment may be entered in any such cause and the action shall be stayed until after the final adjudication of the claim. In the case of an action stayed hereunder, any award of compensation shall require any amounts payable for medical services or materials to be paid directly to the provider thereof plus an amount of interest at the rate provided by statute for judgments. No period of time under any statute of limitation, which applies to a cause of action barred under this subsection, shall commence or continue to run until final adjudication of the claim under the workers compensation act.

(i) As used in this section, unless the context or the specific provisions clearly require otherwise, "carrier" means a self-insured employer, an insurance company or a qualified group-funded workers compensation pool and "provider" means any health care provider, vocational rehabilitation service provider or any facility providing health care services or vocational rehabilitation services, or both, including any hospital.

Sec. 6. K.S.A. 2012 Supp. 75-5708 is hereby amended to read as follows: 75-5708.

(a) There is hereby established within and as a part of the department of labor a division of workers compensation. The division shall be administered, under the supervision of the secretary of labor, by the director of workers compensation, who shall be the chief administrative officer of the division. The director of workers compensation shall be appointed by the secretary of labor and shall serve at the pleasure of the secretary. The director shall be in the unclassified service under the Kansas civil service act and shall

receive an annual salary fixed by the secretary of labor, with the approval of the governor. The director of workers compensation shall be an attorney admitted to practice law in the state of Kansas. The director shall devote full time to the duties of such office and shall not engage in the private practice of law during the director's term of office.

(b) The director of workers compensation may appoint two assistant directors of workers compensation. The secretary of labor may appoint not to exceed 10 administrative law judges. Such assistant directors shall be in the classified service. Such administrative law judges shall be in the unclassified service under the Kansas civil service act unless an administrative law judge elects to stay in the classified service under subsection (g) of K.S.A. 44-551, and amendments thereto. The assistant directors shall act for and exercise the powers of the director of workers compensation to the extent authority to do so is delegated by the director. The assistant directors and administrative law judges shall be attorneys admitted to practice law in the state of Kansas, and shall have such powers, duties and functions as are assigned to them by the director or are prescribed by law. The assistant directors and administrative law judges shall devote full time to the duties of their offices and shall not engage in the private practice of law during their terms of office.

(c) Assistant directors shall be selected by the director of workers compensation, with the approval of the secretary of labor. Except as otherwise provided under K.S.A. 44-551, and amendments thereto, on and after July 1, ~~2006~~ 2013, administrative law judges shall be selected by the ~~administrative law judge nominating and review~~ workers compensation and employment security boards nominating committee and appointed by the secretary of labor. Each assistant director and administrative law judge shall be subject to either dismissal or suspension of up to 30 days for any of the following:

(1) Failure to conduct oneself in a manner appropriate to the appointee's professional capacity;

(2) failure to perform duties as required by the workers compensation act; or

(3) any reason set out for dismissal or suspension in the Kansas civil service act or rules and regulations adopted pursuant thereto.

No appointee shall be appointed, dismissed or suspended for political, religious or racial reasons or by reason of the appointee's sex.";

And by renumbering sections accordingly;

Also on page 14, in line 36, after "K.S.A." by inserting "44-510j and K.S.A."; also in line 36, after "Supp." by inserting "44-508,"; also in line 36, by striking "and 44-709" and inserting ", 44-709 and 75-5708";

On page 1, in the title, in line 4, after "K.S.A." by inserting "44-510j and K.S.A."; in line 4, after "Supp." by inserting "44-508,"; also in line 4, by striking "and 44-709" and inserting ", 44-709 and 75-5708"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2389**; **SB 142** be passed.

Committee on **Corrections and Juvenile Justice** recommends **SB 16** be amended on page 6, in line 17, after "supervision." by inserting "Notwithstanding any other provision of law, any person arrested and charged under this section shall not be released upon the person's own recognizance pursuant to K.S.A. 22-2802, and amendments thereto."; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 167** be amended

by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 167," as follows:

"House Substitute for SENATE BILL NO. 167

By Committee on Corrections and Juvenile Justice

"AN ACT concerning the commissioner of juvenile justice; powers to establish new community based service alternatives to residential care; new residential services levels and establishment of performance measures."; and the substitute bill be passed.

(**H Sub for SB 167** was thereupon introduced and read by title.)

Committee on **Education Budget** recommends **HB 2391** be passed.

Committee on **Education Budget** recommends **SB 23** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2012 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) (A) 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.

(B) 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) For purposes of this paragraph (4), a special teacher, qualified to assist in the provision of special education and related services to exceptional children, who assists in providing special education and related services to exceptional children at either the state school for the blind or the state school for the deaf and whose services are paid for by a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments thereto, shall be considered a special teacher of such school district.

(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.

Sec. 2. K.S.A. 2012 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. 3. K.S.A. 2012 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~~ \$4,264 in school year ~~2008-2009-2013-2014~~ and school year 2014-2015 and ~~\$4,492~~ in school year ~~2009-2010-2015-2016~~ 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 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. 4. K.S.A. 2012 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%~~ 22.5% for school year 2013-2014 and school year 2014-2015 and 25% for school year 2015-2016 and each school year thereafter 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.";

Also on page 1, following line 35, by inserting:

" Sec. 6. K.S.A. 2012 Supp. 72-6433 is hereby amended to read as follows: 72-6433. (a) As used in this section:

(1) "State prescribed percentage" means ~~31%~~ 17.9% for school year 2013-2014 and

school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter 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 2013-2014 and school year 2014-2015~~, 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 17% of the state financial aid of the district in the current school year.~~

(2) Subject to subsection (i), in school year 2013-2014 and school year 2014-2015, the board of any district may adopt a local operating budget in excess of 17% of the state financial aid of the district in the current school year. Such excess percentage shall be adopted by separate resolution.

(3) In school year 2015-2016 and each school year thereafter, the board of any district may adopt a local operating 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~~ 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 (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~~ 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) or (b)(3)~~ 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 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 10% of the base state aid per pupil 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. 2012 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.

(C) This paragraph shall expire on June 30, 2015.

(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.

~~(m)~~ The provisions of this section shall be subject to the provisions of K.S.A. 2012 Supp. 72-6433d, and amendments thereto.

Sec. 7. K.S.A. 2012 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 budget which does not exceed the local ~~option~~ operating budget calculated as if the base state aid per pupil was ~~\$4,433~~ \$4,926, or which does not exceed the local ~~option~~ operating budget as calculated pursuant to K.S.A. 72-6433, and amendments thereto, whichever is greater.

(b) The board of education of any school district may adopt a local ~~option~~ operating budget which does not exceed the local ~~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 the local ~~option~~ operating 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. 8. K.S.A. 2012 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 budget is eligible for entitlement to an amount of supplemental general state aid. Except as provided by K.S.A. 2012 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 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. 9. K.S.A. 2012 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. 10. K.S.A. 2012 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. 2012 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. 11. 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. 12. K.S.A. 2012 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%~~ 28% 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. 13. K.S.A. 2012 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%~~ 17.9% for school year 2013-2014 and school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter 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. 14. K.S.A. 2012 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.";

And renumbering sections accordingly;

On page 2, in line 6, after "K.S.A." by inserting "72-6444 and K.S.A."; also in line 6, after "Supp." by inserting "72-978, 72-978a, 72-6409, 72-6410, 72-6415b,"; also in line 6, after "72-6431" by inserting ", 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6456";

On page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "school finance"; also in line 2, after "amending" by inserting "K.S.A. 72-6444 and"; in line 3, after "Supp." by inserting "72-978, 72-6409, 72-6410, 72-6415b,"; also in line 3, after "72-6431" by inserting ", 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6456"; also in line 3, after "sections" by inserting "; also repealing K.S.A. 2012 Supp. 72-978a"; and the bill be passed as amended.

Committee on **Education Budget** recommends **SB 171** be amended on page 3, in line 27, by striking "this paragraph" and inserting "subsection (i)(1)(B)"; in line 31, by striking all after "board"; in line 32, by striking all before the period and inserting "as published in the Kansas state department of education's Kansas accounting handbook for unified school districts, as published in August 2012, or later versions as established in rules and regulations adopted by the state board"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2197** be amended on page 1, in line 8, by striking all after "(b)"; by striking all in line 9; in line 10, by striking all before "Each";

On page 3, in line 9, after the semicolon by inserting "and"; in line 10, by striking all after "(B)"; by striking all in lines 11 through 27; in line 28, by striking all before "employed" and inserting "four members who shall be appointed by the governor, provided the governor appoint a resident of each congressional district of this state. Members appointed under this subsection shall not be"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 139** be passed.

Committee on **Financial Institutions** recommends **SB 129** be amended on page 23, in line 14, by striking "and any unused balance"; in line 15, by striking all before the period; following line 17, by inserting:

"New Sec. 9. (a) Except as provided in subsection (b), at the time of filing any application described below, the applicant shall remit to the office of the state bank commissioner a nonrefundable fee in the amount of:

(1) Bank or trust company charter.....	\$2,500
(2) New branch bank:	
(A) Ineligible bank.....	1,000
(B) Eligible bank.....	500
(3) Relocation of a branch bank or main office:	
(A) Ineligible bank.....	1,000
(B) Eligible bank.....	500
(4) Merger, consolidation, or transfer of assets and liabilities.....	1,000
(5) Change of control:	
(A) General.....	1,000

(B) Bona fide gift or inheritance.....500
 (C) Formation of one-bank holding company and associated exchange of stock.....500
 (6) Conversion to state charter.....no fee
 (7) Bank service corporation.....no fee
 (8) Fiduciary activities:
 (A) Fiduciary powers.....no fee
 (B) Trust branch.....500
 (C) Trust service office.....500
 (D) Contracting trustee agreement.....500
 (E) Out of state trust facility.....500
 (9) Change of name.....no fee
 (10) Revenue bond pledgibility.....200
 (11) Letter of good standing.....50
 (12) Administrative appeals.....1,000

(b) The commissioner may adopt rules and regulations to change the amount of the fees, either increasing or decreasing such fees, as established in subsection (a) to an amount not to exceed 150% of any such fee established in subsection (a).

(c) Any applicant may be required by the commissioner to pay any additional cost associated with any examination or investigation if the state bank commissioner determines that an on-site examination of the financial institutions or trust companies that are parties to the application is necessary.

(d) The commissioner may adopt rules and regulations necessary to administer the provisions of this section.";

By redesignating the remaining sections and the bill be passed as amended.

Committee on **General Government Budget** recommends **HB 2396** be passed.

Committee on **Health and Human Services** recommends **HB 2386** be amended on page 8, in line 5, after "marrow." by inserting "The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 199** be amended on page 1, in line 15, after "(4)" by inserting "partner and collaborate with the blood and marrow transplant center of Kansas to";

On page 2, in line 33, before "expenditure" by inserting "fees received,"; in line 34, after "center" by inserting ", including the activities of its affiliated organizations,";

On page 3, in line 9, by striking "13" and inserting "14"; in line 43, by striking "and" and inserting:

"(14) one member representing the blood and marrow transplant center of Kansas; and";

And by renumbering the remaining paragraph accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 118** be passed.

Committee on **Judiciary** recommends **SB 18** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 18," as follows:

"House Substitute for SENATE BILL NO. 18

By Committee on Judiciary

"AN ACT concerning churches; relating to disputes involving church congregations."; and the substitute bill be passed.

(H Sub for SB 18 was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 122** be amended on page 1, in line 10, by striking "by such"; in line 11, by striking "electronic notice as may be agreed upon by the parties" and inserting ", if the person has consented to service by electronic notice, by sending a copy of the order or notice to the person by electronic means"; in line 18, by striking "notice" and inserting "means"; also in line 18, by striking "agreed"; in line 19, by striking "upon by the parties" and inserting "specified in the consent"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2403** be amended on page 1, in line 6, before "Section" by inserting "New";

On page 3, following line 8, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 74-4914d is hereby amended to read as follows: 74-4914d. Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-4914c, and amendments thereto, and disability benefits as provided in K.S.A. 74-4914e, and amendments thereto, shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 74-4920, and amendments thereto, except that the employer rate of contribution for the department of corrections including any such additional cost added to such employer rate of contribution pursuant to this section shall in no event exceed the employer rate of contribution for the department of corrections for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which security officers contribute during the period: (a) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (b) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (c) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (d) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (e) for the fiscal year commencing in calendar year 2016, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year. For the fiscal year commencing in calendar year 2014, the contribution rate provided by this section shall be reduced in the amount of the debt service payment allocated to the department of corrections for bonds issued pursuant to section 1, and amendments thereto, as certified by the board.

Sec. 3. K.S.A. 2012 Supp. 74-4920 is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in subsection (3)(a) of K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system,

including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in subsection (3)(a) of K.S.A. 74-4908, and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a

governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2016, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year. For the fiscal year commencing in calendar year 2014, the contribution rate provided by this subsection shall be reduced in the amount of the debt service payment for bonds issued pursuant to section 1, and amendments thereto, as certified by the board.

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the

immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. 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.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2012 Supp. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 2012 Supp. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2012 Supp. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 2012 Supp. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under subsection (a) of K.S.A. 16-204, and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

Sec. 4. K.S.A. 2012 Supp. 74-4914d and 74-4920 are hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "procedures" by inserting "; employer contribution rates; amending K.S.A. 2012 Supp. 74-4914d and 74-4920 and repealing the existing sections"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2378** be passed.

Committee on **Taxation** recommends **HB 2244** be amended on page 1, in line 8, by striking "20% during" and inserting "11.5% in"; in line 9, by striking "10% during" and inserting "5% in"; also in line 9, after "year 2015" by inserting;

"and all tax years thereafter. Watercraft whose fair market value determined pursuant to K.S.A. 79-503a, and amendments thereto, is \$1,000 or less shall pay a tax of \$12";

Also on page 1, also in line 9, by striking "For tax year 2016 and all tax"; by striking all in lines 10 and 11; in line 12, by striking "designed to"; by striking all in lines 13

and 14; in line 15, by striking all before the period and inserting "requiring numbering pursuant to K.S.A. 32-1110, and amendments thereto. Each watercraft may include one trailer which is designed to launch, retrieve, transport and store such watercraft and any nonelectric motor or motors which are necessary to operate such watercraft on the water"; by striking all in lines 16 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 28;

And by renumbering sections accordingly;

On page 5, in line 12, by striking "79-213 and"; also in line 12, by striking "are" and inserting "is";

On page 1, in the title, in line 2, by striking "79-213 and"; in line 3, by striking "sections" and inserting "section" and the bill be passed as amended.

Committee on **Transportation** recommends **SB 68** be passed.

Committee on **Transportation** recommends **Substitute for SB 70** 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 **Transportation** recommends **SB 96** be amended on page 1, in line 16, by striking all after the first "registration"; by striking all in line 17; in line 18, by striking all before the period; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 164** be amended on page 6, in line 25, by striking "(d)" and inserting "(e)"; 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. 75, by Representative Schwartz, congratulating Ohlde's Dairy, Inc. on their 58-year commitment to the family farm and being one of the top 16 businesses served by the Kansas Small Business Development Center;

Request No. 76, by Representative Thimesch, congratulating Saint Patrick Catholic School for receiving the Banner School Award for three years by the Diocese of Wichita;

Request No. 77, by Representative Seiwert, congratulating Saint Patrick Catholic School for receiving the Governor's Achievement Award for 2011-2012;

Request No. 78, by Representative Ewy, congratulating Ben Rogers on his retirement from the Wet Walnut Water Shed after 26 years of service;

Request No. 79, by Representative Macheers, congratulating Lucas E. Leininger on achieving the rank of Eagle Scout;

Request No. 80, by Representative Macheers, congratulating Spencer E. Boaz on achieving the rank of Eagle Scout;

Request No. 81, by Representative O'Brien, congratulating Jeremy Goebel as the Regional Wrestling Coach of the year at Tonganoxie High School;

Request No. 82, by Representative O'Brien, congratulating the Tonganoxie High School Wrestling team on winning the Class 4A Regional Championship in the Kaw Valley League;

Request No. 83, by Representative Mast, congratulating the Burlington Lady Wildcats on winning the Class 4A State Basketball title with a perfect 26-0 record;

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. Vickrey, the committee report was adopted

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rhoades, the House nonconcurrred in Senate amendments to **S Sub for HB 2143** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rhoades, Suellentrop and Henry as conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Lusk to replace Rep. Dillmore on Committee on Taxation for March 22.

REPORT ON ENROLLED BILLS

HB 2252 reported correctly enrolled, properly signed and presented to the Governor on March 22, 2013.

REPORT ON ENROLLED RESOLUTIONS

HCR 5015 reported correctly enrolled and properly signed on March 22, 2013.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Monday, March 25, 2013.

Journal of the House

FORTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 25, 2013, 9:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Reps. Hermanson and Osterman were excused on verified illness.

Reps. Sawyer and Schwab were excused on excused absence by the Speaker.

Present later: Rep. Schwab.

Prayer by guest chaplain, the Rev. Michael McCrickard, pastor, First Christian Church, Plainville, guest of Rep. Couture-Lovelady:

Blessed Lord, Almighty God. We ask that you watch over this body of representatives and guide them in the important decisions they make for this state. We pray for their continued safety as the travel around Kansas listening to their constituents and in serving them. We thank you Lord for letting us live in a wonderful state and for the inalienable rights and freedoms we hold dear in this still great land. May we never take them for granted and may they always be protected.

We humbly pray all these things to You, Everlasting Father, through your Son Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. Esau.

PERSONAL PRIVILEGE

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

It is my pleasure to recognize Mrs. Janet Armstead, Director of the St. George Elementary Honor Choir. March is Music in Our Schools month and we appreciate Mrs. Armstead bringing the St George Honor Choir to make it a music celebration today at noon in the Rotunda.

Her dedication to music and beautiful performances has brought enjoyment to Kansans throughout this region. During the fifteen years of her auditioned choir, they have been to the Kansas Music Educator's Association three times, as well as, asked to perform for many dedications and organizations.

Mrs. Armstead has taught music for 38 years. She has received the North Central

District Outstanding Elementary Music Teacher of the Year three times, and has been the chair for that District twice. She is also a member of the Organization of Kodaly Educators and has taken thirty-five students to national honor choirs around the nation.

It also must be recognized that Mrs. Armstead serves in many other ways. She organizes and directs the Flint Hills Messiah Orchestra, who gave its twenty first performance of Handel's Messiah on March 10, 2013, and she has played horn in the Manhattan Municipal Band for over twenty-five years. She also directs the Zeandale Community Church Choir. As a member of the Wamego School Board she served eight years.

Her love of history has led her to work with her good friend and fellow music teacher, Christine Day, to take around eighty 5th and 6th grade students on a ten day camping trip down the historic Santa Fe Trail. They are presently working toward making this trip this summer. They also perform together as the Prairie Larkspur 1800's music traveling duo.

I would like to present Mrs. Armstead and the St George Honor Choir with this Official Accommodation Certificate.

CONSENT CALENDAR

No objection was made to **Sub SB 70** appearing on the Consent Calendar for the first day.

No objection was made to **SB 24, SB 25, SB 166** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2381, AN ACT concerning election campaign finance; relating to contributions to political committees during legislative sessions; amending K.S.A. 2012 Supp. 25-4153a and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 100; Nays 21; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeyes, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, KleeB, Kuetner, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, Weigel, Whipple, Wolfe Moore.

Nays: Alcala, Bridges, Burroughs, Carlin, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Meier, Menghini, Pauls, Peterson, Ruiz, Sloop, Victors, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Sawyer, Schwab.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2015** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **Sub HB 2017** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Kinzer, the House concurred in Senate amendments to **HB 2028**, AN ACT concerning forfeiture; relating to venue in forfeiture proceedings; amending K.S.A. 60-4103 and repealing the existing section.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Rhoades, Sawyer, Schwab.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2049** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Kinzer, the House concurred in Senate amendments to **HB 2203**, AN ACT concerning civil procedure; relating to exercise of religion.

On roll call, the vote was: Yeas 109; Nays 12; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell,

Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Bollier, Bridges, Carlin, Clayton, Kuether, Lane, Lusk, Rooker, Sloan, Sloop, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Sawyer, Schwab.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2204** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2318**, AN ACT concerning motor vehicles; relating to motorcycles; authorizing modulating head lamps and side lamps; amending K.S.A. 8-1801 and 8-1804 and repealing the existing sections.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Sawyer, Schwab.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2357**, AN ACT designating a portion of United States highway 169 as the 242nd engineer company – KS army national guard – highway.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney,

Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Sawyer, Schwab.

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Kelley in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelley, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2377; SB 75, SB 68, SB 58; HB 2387, HB 2389; SB 139** be passed.

HCR 5014 be adopted.

SB 74, SB 199, SB 135; HB 2101; H Sub for SB 22; Sub HB 2002 be passed over and retain a place on the Calendar.

Committee report to **HB 2338** be adopted; and the bill be passed as amended.

Committee report to **SB 124** be adopted; and the bill be passed as amended.

On motion of Rep. Whipple to amend **HB 2057**, Rep. Brunk requested a ruling on the amendment being germane to the bill. The rules Vice-Chair ruled the amendment not germane; and the bill be passed.

Committee report to **SB 96** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2262** be adopted; and the substitute bill be passed.

Committee report to **SB 1** be adopted; and the bill be passed as amended.

Committee report to **SB 88** be adopted; and the bill be passed as amended.

On motion of Rep. Sutton to amend **SB 37**, the motion did not prevail; and the bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 73** be amended on page 9, in line 25, by striking "30" and inserting "20";

On page 12, in line 27, by striking all after "(6)"; by striking all in lines 28 and 29; in line 30, by striking all before the period and inserting "Notwithstanding the provisions of K.S.A. 44-556, and amendments thereto, no interlocutory appeal to the court of appeals of the workers compensation appeals board's decision regarding recusal shall be allowed while the resolution of the claim for compensation is pending before an administrative law judge or the workers compensation appeals board"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 141** be passed.

Committee on **Federal and State Affairs** recommends **HR 6020** be adopted.

Committee on **Federal and State Affairs** recommends **HB 2111** be amended on page 2, following line 7, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 21-6301 is hereby amended to read as follows: 21-6301. (a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing or possessing any bludgeon, sand club, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

(2) possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) setting a spring gun;

(4) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(5) selling, manufacturing, purchasing or possessing a shotgun with a barrel less than 18 inches in length, or any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger, whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically;

(6) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight;

(7) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;

(8) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;

(9) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(10) possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

(11) possession of any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was

in or on any such property or grounds;

(12) refusal to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

(13) possession of any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto; or

(14) possessing a firearm ~~with a barrel less than 12 inches long~~ by any person less than 18 years of age ~~whether the person knows or has reason to know the length of the barrel.~~

(b) Criminal use of weapons as defined in:

(1) Subsection (a)(1), (a)(2), (a)(3), (a)(7), (a)(8), (a)(9) or (a)(12) is a class A nonperson misdemeanor;

(2) subsection (a)(4), (a)(5) or (a)(6) is a severity level 9, nonperson felony;

(3) subsection (a)(10) or (a)(11) is a class B nonperson select misdemeanor;

(4) subsection (a)(13) is a severity level 8, nonperson felony; and

(5) subsection (a)(14) is a:

(A) Class A nonperson misdemeanor except as provided in subsection (b)(5)(B);

(B) severity level 8, nonperson felony upon a second or subsequent conviction.

(c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsections (a)(4) and (a)(5) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(6) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(4) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(4); and

- (3) in possession of commercially manufactured devices which are:
- (A) Owned by the law enforcement agency;
 - (B) in such officer's possession only during specific operations; and
 - (C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsections (a)(4) and (a)(5) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(i) Subsection (a)(11) shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) any possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;

(4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or

(5) possession of a handgun by an individual who is licensed by the attorney general to carry a concealed handgun under K.S.A. 2012 Supp. 75-7c01 et seq., and amendments thereto.

(j) Subsections (a)(9) and (a)(13) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 2012 Supp. 75-7c26, and amendments thereto.

(k) Subsection (a)(14) shall not apply if such person, less than 18 years of age, was:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;

(3) engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;

(4) hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(5) traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (k)(1) through (k)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;

(6) on real property under the control of such person's parent, legal guardian or

grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; ~~or~~

(7) at such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 2012 Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto; or

(8) in the presence of such person's parent or legal guardian and with permission of such person's parent or legal guardian possesses such firearm.

(l) Subsection (a)(1) shall not apply to any ordinary pocket knife which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife.

(m) As used in this section, "throwing star" means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.";

Also on page 2, in line 23, by striking "jail, juvenile correctional facility, juvenile detention"; in line 24, by striking "facility or prison" and inserting "municipal building, provided that:

(A) Such municipal building has adequate security measures to ensure that no weapons are permitted to be carried into such building; and

(B) such municipal building is conspicuously posted at each entry way into such building with signs stating that firearms are prohibited within such municipal building";

On page 3, by striking all in lines 40 through 43;

On page 4, by striking all in lines 1 through 6 and inserting:

"(4) "municipal building" means a building owned or leased by a municipality. The term "municipal building" shall not include a building owned by a municipality that is leased by a private entity, whether for profit or not-for-profit, a building held in title by a municipality solely for reasons of revenue bond financing, a municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto, or a municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto; and

(5) "municipality" means any county, township, city or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof. The term "municipality" shall not mean any unified school district or any postsecondary educational institution, as that term is defined in K.S.A. 74-3201b, and amendments thereto.";

Also on page 4, in line 8, by striking "'jail," "juvenile correctional'"; in line 9, by striking all before "shall" and inserting "and "municipal building'";

And by renumbering sections accordingly;

Also on page 4, in line 12, after "12-16,124" by inserting ", 21-6301";

On page 1, in the title, in line 2, after "12-16,124" by inserting ", 21-6301"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 121** be amended on page 1, in line 6, before "Upon" by inserting "(a)"; in line 13, before "A" by inserting:

"(b)";

Also on page 1, in line 16, by striking all after "by"; by striking all in line 17; in line

18, by striking "healthcare" and inserting "a healthcare accrediting organization approved by the secretary"; in line 19, after the period by inserting:

"(c)";

Also on page 1, in line 25, after "funds." by inserting:

"(d)";

Also on page 1, in line 28, by striking "Osawatamie" and inserting "Osawatomie"; in line 34, after "staff." by inserting "Osawatomie state hospital and rainbow mental health facility shall be issued jointly a single license and shall not be issued a separate license for each facility.";

Also on page 1, following line 35, by inserting:

"Sec. 2. K.S.A. 65-433 is hereby amended to read as follows: 65-433. The licensing agency shall make or cause to be made such inspections and investigations as deemed necessary. The authorized agents and representatives of the licensing agency shall conduct inspections of each medical care facility not accredited by ~~the joint commission on accreditation of health care organizations or the American osteopathic association~~ a healthcare accrediting organization approved by the secretary and at such intervals as the secretary determines necessary to protect the public health and safety and to carry out the risk management provisions of K.S.A. 65-4921 et seq., and amendments thereto. The licensing agency may prescribe by rules and regulations that any licensee or applicant desiring to make specified types of alteration or additions to its facilities or to construct new facilities shall before commencing such alteration, addition or new construction, submit plans and specifications therefor to the licensing agency for preliminary inspection and approval or recommendations with respect to compliance with the rules and regulations and standards herein authorized. Necessary conferences and consultations may be provided.";

And by renumbering sections accordingly;

Also on page 1, in line 36, by striking "is" and inserting "and 65-433 are";

On page 1, in the title, in line 1, by striking "state institutions" and inserting "medical care facilities"; in line 2, after "65-429" by inserting "and 65-433"; also in line 2, by striking "section" and inserting "sections"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Tietze to replace Rep. Sawyer on Committee on Taxation for March 25.

On motion of Rep. Vickrey, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Crum, the House nonconcurrent in Senate amendments to **HB 2025** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Crum, Weber and Ward as conferees on the part of the House.

On motion of Rep. Goico, the House nonconcurred in Senate amendments to **HB 2078** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Goico, Seiwert and Meier as conferees on the part of the House.

On motion of Rep. Cassidy, the House nonconcurred in Senate amendments to **HB 2109** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Cassidy, Grosserode and Winn as conferees on the part of the House.

On motion of Rep. Crum, the House nonconcurred in Senate amendments to **Sub HB 2183** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Crum, Weber and Ward as conferees on the part of the House.

On motion of Rep. Vickrey, 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 135**, **SB 118** be passed.

On motion of Rep. Pauls to amend **SB 74**, the motion did not prevail; and the bill be passed.

Committee report to **HB 2101** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2002** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 22** be adopted; also, on motion of Rep. Kelley be amended on page 8, in line 41, after "(A) " by inserting "the sum of (i)"; in line 42, after the first "year" by inserting ", excluding pupils under paragraph (A)(ii),";

On page 9, in line 2, before "(B)" by inserting "and (ii), if any, adjusted enrollment in the preceding school year of any pupils participating in the corporate education tax credit scholarship program pursuant to section 1 et seq., and amendments thereto, in the current school year, plus adjusted enrollment in the preceding school year of preschool-aged at-risk pupils participating in the corporate education tax credit scholarship program pursuant to section 1 et seq., and amendments thereto, in the current school year, if any such pupils were enrolled, or";

Also on page 9, in line 2, by striking all after "(B)"; by striking all in lines 3 through 7; in line 8, by striking all before "the";

Also, roll call was demanded on further motion of Rep. Kelley to amend **H Sub for SB 22** on page 6, in line 37, by striking "2015" and inserting "2018";

On roll call, the vote was: Yeas 67; Nays 54; Present but not voting: 0; Absent or not voting: 4.

Yeas: Barker, Becker, Bradford, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb,

Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Weber.

Nays: Alcalá, Alford, Ballard, Bideau, Boldra, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Rooker, Ruiz, Schroeder, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hermanson, Osterman, Peterson, Sawyer.

The motion of Rep. Kelley prevailed.

Also, on motion of Rep. Jennings to refer **H Sub for SB 22** to Committee on Taxation, the motion did not prevail.

Also, on motion to recommend **H Sub for SB 22** favorably for passage, the motion did not prevail.

Committee report to **SB 122** be adopted; and the bill be passed as amended.

Committee report to **SB 16** be adopted; also, on motion of Rep. Becker be amended on page 1, in line 28, after "trafficking;" by inserting "or"; and the bill be passed as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **S Sub for HB 2093** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **HB 2120** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2402** be passed.

Committee on **Agriculture and Natural Resources** recommends **SB 147** be amended on page 1, following line 6, by inserting:

"New Section 1. K.S.A. 2-1212 through 2-1220, and amendments thereto, and sections 1 through 3, and amendments thereto, shall be known as the anhydrous ammonia regulation act.";

On page 2, by striking all in lines 5 and 6 and inserting "carry liability insurance in an amount sufficient to provide coverage for reasonably anticipated losses and shall submit to any inspections of such business by the provider of such coverage." in line 34, before the period by inserting "in the form of a certificate of liability insurance conforming to the requirements of this section before a permit to fill shall be issued by the secretary. Such certificate of liability insurance shall be executed by an insurance

company authorized to do business in this state or by a licensed insurance agent operating under the authority of K.S.A. 40-246b, and amendments thereto, on a form provided by the secretary, and shall state the effective date and the expiration date of such liability insurance.

(1) Such liability insurance shall be subject to the insurer's policy provisions filed with and approved by the commissioner of insurance pursuant to K.S.A. 40-216, and amendments thereto, except as authorized by K.S.A. 40-246b, and amendments thereto.

(2) The liability insurance policy shall provide: (A) Coverage for bodily injury liability for each occurrence; and (B) coverage for property damage liability for each occurrence.

(3) The insurer shall notify the secretary, in writing, of any expiration, reduction or cancellation of liability insurance, furnished as a prerequisite of receiving such a permit to fill not later than 10 days before the expiration, reduction or cancellation takes effect. Upon expiration, reduction or cancellation of such liability insurance, the secretary shall suspend such anhydrous ammonia tank permit to fill until the liability insurance requirement is met by the permittee for the current permit period";

Also on page 2, following line 38, by inserting:

"(h) The secretary:

(1) Shall annually inspect the anhydrous ammonia tanks of any anhydrous ammonia tank owner whose tanks are not annually inspected by such owner's liability insurance provider and are not inspected under federal regulations pursuant to subsection (g); and

(2) may inspect the anhydrous ammonia tanks of any anhydrous ammonia tank owner upon receiving a complaint that such owner is violating the provisions of the anhydrous ammonia regulation act.";

And by redesignating subsections accordingly;

Also on page 2, in line 39, by striking all following "(h)"; by striking all on lines 40 through 42; in line 43, by striking all before "Any";

On page 3, in line 27, by striking "article 12 of"; by striking all in line 28 and inserting "the anhydrous ammonia regulation act.";

On page 4, in line 35, by paragraphing "(a)";

On page 5, in line 2, by striking "requirements of article 12 of chapter 2 of the"; in line 3, by striking all before the semicolon and inserting "provisions of the anhydrous ammonia regulation act"; in line 4, by striking "such rules and regulations"; in line 7, by striking "article 12 of chapter 2 of the Kansas"; in line 8, by striking all before the second comma and inserting "the provisions of the anhydrous ammonia regulation act"; by striking all in line 23; in line 24, by striking all before "shall" and inserting "the secretary or the secretary's designee"; in line 26, by striking "to"; also in line 26, after "inspect" by inserting "such tanks."; also in line 26, after "equipment" by inserting "during normal operating hours"; in line 27, by striking "employees" and inserting "the secretary or the secretary's designee"; also in line 27, by striking the comma, in line 28, by striking ": (1)"; in line 29, after "installation" by inserting ", use"; also in line 29, by striking the semicolon; by striking all in line 30; in line 31, by striking all before the period; by striking all in line 36; in line 37, by striking "thereto" and inserting "the anhydrous ammonia regulation act";

On page 6, in line 4, by striking all after "agriculture"; in line 5, by striking "designee";

By renumbering sections accordingly; and the bill be passed as amended.

Committee on **Elections** recommends **SB 177** be passed.

Committee on **Elections** recommends **SB 45** be amended on page 1, in line 10, by striking "or"; in line 11, by striking "designed" and inserting "nor shall any legislative appropriation be used"; and the bill be passed as amended.

Committee on **Elections** recommends **SB 64** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 64," as follows:

"House Substitute for SENATE BILL NO. 64

By Committee on Elections

"AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 19-3505, 19-3507, 24-504, 25-209, 25-1115, 25-2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419 and 72-8008 and K.S.A. 2012 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311 and 42-706 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 64** was thereupon introduced and read by title.)

Committee on **Elections** recommends **SB 100** be amended on page 2, following line 35, by inserting:

"Sec. 4. K.S.A. 25-4175 is hereby amended to read as follows: 25-4175. For any calendar year during which a party or political committee intends to expend an aggregate amount or value of less than ~~\$500~~ \$1,000 and intends to receive contributions in an aggregate amount or value of less than ~~\$500~~ \$1,000 and during which such party or political committee intends to receive no contributions in excess of \$50 from any one contributor, the treasurer of such party or political committee shall file an affidavit of such intent with the secretary of state if such committee is a party committee or a political committee which expressly advocates the nomination, election or defeat of a clearly identified candidate for state office and with the county election officer if the committee is a political committee which expressly advocates the nomination, election or defeat of a clearly identified candidate for local office. Such treasurer shall not be required to file the reports required by K.S.A. 25-4148, and amendments thereto, for the year for which such affidavit is filed. Such affidavit may be filed at any time not later than the ninth day preceding the primary election.

Sec. 5. K.S.A. 46-237 is hereby amended to read as follows: 46-237. (a) Except as provided by this section, no state officer or employee, candidate for state office or state officer elect shall accept, or agree to accept any:

(1) economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$40 or more in any calendar year; or

(2) hospitality in the form of recreation having an aggregate value of \$100 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties or prospective official duties.

(b) Except as provided by this section, no person with a special interest shall offer, pay, give or make any:

(1) economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$40 or more in any calendar year. Transportation

provided in the state of Kansas by ground conveyance shall not be considered a gift; or

(2) hospitality in the form of recreation having an aggregate value of \$100 or more in any calendar year to any state officer or employee, candidate for state office or state officer elect with a major purpose of influencing such officer or employee, candidate for state office or state officer elect in the performance of official duties or prospective official duties.

(c) No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$40 or more in any calendar year to such agency or any state officer or employee, candidate for state office or state officer elect of that agency.

(d) Hospitality in the form of food and beverages is presumed not to be given to influence a state officer or employee, candidate for state office or state officer elect in the performance of official duties or prospective official duties, except when a particular course of official action is to be followed as a condition thereon.

(e) Except when a particular course of official action is to be followed as a condition thereon, this section shall not apply to: (1) Any contribution reported in compliance with the campaign finance act; or (2) a commercially reasonable loan or other commercial transaction in the ordinary course of business.

(f) No state officer or employee shall accept any payment of honoraria for any speaking engagement except that a member of the state legislature or a part-time officer or employee of the executive branch of government shall be allowed to receive reimbursement in the preparation for and the making of a presentation at a speaking engagement in an amount fixed by the commission prior to the acceptance of the speaking engagement. Nothing in this section shall be construed to prohibit the reimbursement of state officers and employees for reasonable expenses incurred in attending seminars, conferences and other speaking engagements.

(g) The provisions of this section shall not be applicable to or prohibit the acceptance of gifts from governmental agencies of foreign nations except that any gift accepted from such foreign governmental agency, having an aggregate value of \$100 or more, shall be accepted on behalf of the state of Kansas.

(h) No legislator shall solicit any contribution to be made to any organization for the purpose of paying for travel, subsistence and other expenses incurred by such legislator or other members of the legislature in attending and participating in meetings, programs and activities of such organization or those conducted or sponsored by such organization, but nothing in this act or the act of which this act is amendatory shall be construed to prohibit any legislator from accepting reimbursement for actual expenses for travel, subsistence, hospitality, entertainment and other expenses incurred in attending and participating in meetings, programs and activities sponsored by the government of any foreign nation, or any organization organized under the laws of such foreign nation or any international organization or any national, nonprofit, nonpartisan organization established for the purpose of serving, informing, educating and strengthening state legislatures in all states of the nation, when paid from funds of such organization and nothing shall be construed to limit or prohibit the expenditure of funds of and by any such organization for such purposes.

Sec. 6. K.S.A. 2012 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.

(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~~ \$50 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.

Sec. 7. K.S.A. 46-269 is hereby amended to read as follows: 46-269. Each report required to be filed by K.S.A. 46-268, and amendments thereto, is a public record and shall be open to public inspection upon request. Such report shall disclose the following:

(a) The full name and address of each person who has paid compensation for lobbying to the lobbyist or has paid for expenses of lobbying by the lobbyist during the period reported.

(b) The aggregate amount or value of all expenditures made, except for expenses of general office overhead, by the lobbyist or by the lobbyist's employer for or in direct relation to lobbying during the reporting period, if such expenditures exceed \$100. Individual expenditures of less than ~~\$2~~ ~~\$5~~ shall not be required to be reported under this subsection. Every lobbyist shall keep detailed accounts of all expenditures required to be reported pursuant to K.S.A. 46-268, and amendments thereto. Such expenditures shall be reported according to the following categories of expenditures:

- (1) Food and beverages provided as hospitality;
 - (2) entertainment, gifts, honoraria or payments;
 - (3) mass media communications;
 - (4) recreation provided as hospitality;
 - (5) communications for the purpose of influencing legislative or executive action;
- and
- (6) all other reportable expenditures made in the performance of services as a lobbyist.

With regard to expenditures for entertainment or hospitality which is primarily recreation, food and beverages, only amounts expended on a state officer or employee or on such officer or employee's spouse shall be considered to be for or in direct relation

to lobbying. Notwithstanding the requirements of this subsection and subsection (d), no lobbyist shall be responsible to report any expenditure by the lobbyist's employer of which such person has no knowledge.

(c) (1) In addition to the information reported pursuant to subsection (b), each lobbyist expending an aggregate amount of \$100 or more for lobbying in any reporting period shall report any gift, entertainment or hospitality provided to members of the legislature, members of the judicial branch of government and any employees of the legislature or judicial branch of government. Such report shall disclose the full name of the legislator, member of the judicial branch and employee who received such gift, entertainment or hospitality and the amount expended on such gift, entertainment or hospitality.

(2) No report shall be required to be filed pursuant to this subsection (c) for the following:

(A) Meals, the provision of which is motivated by a personal or family relationship;
 (B) meals provided at public events in which the person is attending in an official capacity;

(C) meals provided to a person subject to this section when it is obvious such meals are not being provided because of the person's official position;

(D) food such as soft drinks, coffee or snack foods not offered as part of a meal; and

(E) entertainment or hospitality in the form of recreation, food and beverages provided at an event to which the following have been invited:

(i) All members of the legislature or all members of either house of the legislature; or

(ii) all members of a political party caucus of the legislature or all members of a political party caucus of either house of the legislature.

(d) Except as provided by subsection (c), whenever an individual lobbyist contributes to a single special event, such lobbyist shall report only the aggregate amount or value of the expenditure contributed by such lobbyist.

(e) Whenever more than one lobbyist is employed by a single employer, the reports required by this section relating to such employer shall be made by only one such lobbyist and that lobbyist shall be the lobbyist who is most directly connected with the particular expenditure or gift, honoraria or payment. No expenditure or gift, honoraria or payment required to be reported by this section shall be reported by more than one lobbyist.

(f) All accounts, records and documents of the lobbyist which relate to every expenditure reported or which should have been reported shall be maintained and preserved by the lobbyist for a period of five years from the date of the filing of such report or statement and may be inspected under conditions determined by the commission.";

And by renumbering sections accordingly;

Also on page 2, in line 36, by striking "and 46-268"; also in line 36, before "are" by inserting ", 25-4175, 46-237, 46-268 and 46-269 and K.S.A. 2012 Supp. 46-2237a";

On page 1, in the title, in line 1, after "concerning" by inserting "campaign finance,"; in line 2, by striking "and 46-268" and inserting ", 25-4175, 46-237, 46-268 and 46-269 and K.S.A. 2012 Supp. 46-237a"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 80** be amended on page 1, in line 11, by

striking "attorney general in any judicial district or the"; in line 21, after "(c)" by inserting "(1)"; in line 25, after the period by inserting:

"(2) The petition, upon its face, shall state the name, address and phone number of the person filing the petition, the subject matter of the prospective grand jury, a reasonably specific identification of areas to be inquired into and sufficient general allegations to warrant a finding that such inquiry may lead to information which, if true, would warrant a true bill of indictment.

(3) ";

On page 2, following line 15, by inserting:

"(4) After a grand jury is summoned pursuant to this subsection, but before it begins deliberations, the judge or judges of the district court of the county in which the petition is presented shall provide instructions to the grand jury regarding its conduct and deliberations, which instructions shall include, but not be limited to, the following:

(A) You have been impaneled as a grand jury pursuant to a citizens' petition filed in this court, signed by (insert number) qualified electors of this county, stating (insert the subject matter described in the petition, including a reasonably specific identification of the areas to be inquired into and the allegations sufficient to warrant a finding that the grand jury's inquiry may lead to information which, if true, would warrant a true bill of indictment.) You are charged with making inquiry with regard to this subject matter and determining whether the facts support allegations warranting a true bill of indictment.

(B) The person filing the citizens' petition filed in this court must be the first witness you call for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.

(C) You may, with the approval of this court, employ special counsel and investigators, and incur such other expense for services and supplies as you and this court deem necessary. Any special counsel or investigator you employ shall be selected by a majority vote of your grand jury. You may make such selection only after hearing testimony from the person who filed the citizens' petition. You may utilize the services of any special counsel or investigator you employ instead of, or in addition to, the services of the prosecuting attorney.

(D) If any witness duly summoned to appear and testify before you fails or refuses to obey, compulsory process will be issued by this court to enforce the witness' attendance.

(E) If any witness appearing before you refuses to testify or to answer any questions asked in the course of the witness' examination, you shall communicate that fact to this court in writing, together with a statement regarding the question the witness refuses to answer. This court will determine and inform you of whether the witness is bound to answer or not. However, no witness appearing before you can be compelled to make any statement which will incriminate such witness.

(F) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.

(G) At the conclusion of your inquiry and determination, you will return either a no bill of indictment or a true bill of indictment.";

Also on page 2, following line 34, by inserting:

"(c) After the prosecutor has conducted an examination of the prospective grand

jurors under this section, a list of all remaining legally qualified grand jurors shall be approved by the court and submitted to the clerk of the county of such court for a second drawing of grand juror names pursuant to K.S.A. 43-107, and amendments thereto.";

On page 4, in line 1, after the period by inserting "Any special counsel or investigator employed by the grand jury shall be selected by majority vote of such grand jury only after hearing testimony from the person filing the petition pursuant to K.S.A. 2012 Supp. 22-3001, and amendments thereto. Subject to the provisions of this section, the grand jury shall have all authority to investigate any concerns associated with such petition."; in line 29, after the period by inserting "The person who filed the petition pursuant to K.S.A. 2012 Supp. 22-3001, and amendments thereto, shall be the first witness called by the grand jury for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.";

On page 5, following line 32, by inserting:

"(g) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.";

On page 7, following line 42, by inserting:

"Sec. 16. K.S.A. 2012 Supp. 43-107 is hereby amended to read as follows: 43-107. (a) At least 30 days before service is required, the clerk of the county where such court is to be held shall draw from the jury box the names of 30 persons to serve as grand jurors and the names of 24 persons to serve as petit jurors. In the event that a county has appropriate base information programmed as a part of its computer operations so that it might comply with the spirit of the jury selection laws of Kansas, the jury commissioners may by local rule provide alternate methods for securing jury panels directly from the computer without the necessity of drawing names or cards from a wheel manually.

(b) Upon receipt of a list of the legally qualified grand jurors from the court pursuant to K.S.A. 22-3002, and amendments thereto, the clerk of the county where such court is to be held shall draw for a second time 15 names of persons to serve as grand jurors from such list. In the event that the county in which court is to be held has an alternate method for securing jury panels directly from the computer, the clerk shall use the computer to generate 15 names of persons to serve as grand jurors from such list.

New Sec. 17. (a) Upon a majority vote of the grand jury, the grand jury may seek the removal of the assigned judge pursuant to K.S.A. 20-311d, and amendments thereto.

(b) This section shall be part of and supplemental to article 30 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto.";

And by renumbering sections accordingly;

On page 8, in line 2, by striking "and" and inserting a comma; also in line 2, after "22-3008" by inserting "and 43-107";

On page 1, in the title, in line 3, by striking the third "and" and inserting a comma; in line 4, after "3008" by inserting "and 43-107" and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2379** be passed.

Committee on **Taxation** recommends **HB 2056** be amended on page 8, in line 23, by striking the second "and"; in line 24, by striking "personal"; in line 29, after "(b)" by

inserting:

"Once the warrant has been docketed with the clerk of the district court, the secretary or the secretary's designee shall file with the office of the secretary of state a notice of lien. The notice of lien shall be filed in the uniform commercial code filing system with the secretary of state in accordance with part 5 of article 9 of the uniform commercial code, and amendments thereto, in an electronic format as prescribed by the secretary of state. No fee shall be charged by the secretary of state for the initial filing. The fee to terminate the filing shall be set in accordance with the rules and regulations filing act. The notice of lien shall thereupon become a lien upon the title to and interest in the tangible personal property, wherever located in the state of Kansas, of the taxpayer against whom the notice of lien was filed.

(c) ";

On page 9, in line 2, by striking "(c)" and inserting "(d)"; in line 6, by striking "(c)" and inserting "(d)"; in line 10, by striking the second "and"; in line 11, by striking "personal property" and inserting "estate"; in line 13, after the period, by inserting "If the warrant is dormant, it shall cause the lien upon personal property filed with the office of the secretary of state to be dormant as well. In the event the warrant is revived, the lien upon personal property filed with the office of the secretary of state shall be revived as well.

(e) The lien on tangible personal property provided in subsection (b) shall cease to exist 10 years from the date of the filing of the notice of lien with the office of the secretary of state, unless before such time the secretary or the secretary's designee files with the office of the secretary of state a notice of renewal of such lien. The notice of renewal shall operate to extend the lien for 10 years from the date of the filing of the notice. The lien may be extended through the filing of a notice of renewal an unlimited number of times, as long as each notice of renewal is filed within 10 years of the date the previous notice of renewal was filed.";

On page 10, in line 9, by striking "and personal"; in line 14, after "(b)" by inserting:

"Once the warrant has been docketed with the clerk of the district court, the secretary or the secretary's designee shall file with the office of the secretary of state a notice of lien. The notice of lien shall be filed in the uniform commercial code filing system with the secretary of state in accordance with part 5 of article 9 of the uniform commercial code, and amendments thereto, in an electronic format as prescribed by the secretary of state. No fee shall be charged by the secretary of state for the initial filing. The fee to terminate the filing shall be set in accordance with the rules and regulations filing act. The notice of lien shall thereupon become a lien upon the title to and interest in the tangible personal property, wherever located in the state of Kansas, of the taxpayer against whom the notice of lien was filed. The department shall release any lien upon the property of a taxpayer upon payment of all tax, penalty and interest within 30 days of payment. Liens filed in error shall be so noted on the satisfaction of judgment. The department shall be liable for any court costs associated with the release of such erroneous liens.

(c) ";

Also on page 10, in line 32, by striking "(c)" and inserting "(d)"; in line 37, by striking "(c)" and inserting "(d)"; in line 41, by striking the second "and"; in line 42, by striking "personal property" and inserting "estate";

On page 11, in line 1, after the period, by inserting:

"If the warrant is dormant, it shall cause the lien upon personal property filed with the office of the secretary of state to be dormant as well. In the event the warrant is revived, the lien upon personal property filed with the office of the secretary of state shall be revived as well.

(e) The lien on tangible personal property provided in subsection (b) shall cease to exist 10 years from the date of the filing of the notice of lien with the office of the secretary of state, unless before such time the secretary or the secretary's designee files with the office of the secretary of state a notice of renewal of such lien. The notice of renewal shall operate to extend the lien for 10 years from the date of the filing of the notice. The lien may be extended through the filing of a notice of renewal an unlimited number of times, as long as each notice of renewal is filed within 10 years of the date the previous notice of renewal was filed."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2369** be amended on page 8, in line 18, after "income" by inserting "or has not been claimed as an itemized deduction by the taxpayer"; 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 6024**—

By Representative Goico

A RESOLUTION recognizing Mark and Louise Allen for their instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas.

WHEREAS, Dr. James Naismith, inventor of the sport of basketball and a legendary member of the University of Kansas basketball community, wrote the original 13 rules of basketball in 1891; and

WHEREAS, Those rules were written down by Dr. Naismith himself and have been preserved throughout the years in the ownership of the Naismith International Basketball Foundation. In 2010, those original documents became available for auction at Sotheby's, an auction house in New York; and

WHEREAS, These rules are a representation of the tradition-rich basketball community at the University of Kansas. Mark Allen, the grandson of former KU basketball coach Phog Allen, and his wife, Louise, thought the original rules deserved to be back where basketball began, the University of Kansas; and

WHEREAS, Mark and Louise Allen coordinated with David Booth to purchase these rules from Sotheby's at a price of \$4.3 million, setting a new record price for the purchase of sports memorabilia. Mark Allen did a lot of research to ensure the documents were authentic and to bring them back to Kansas; and

WHEREAS, The University of Kansas plans to build a new building near the famous Allen Fieldhouse to house Naismith's original rules of basketball. KU chancellor, Bernadette Gray-Little, expressed gratitude for the efforts of Allen and Booth. President of the KU Endowment, Dale Seufferling, said, "On behalf of all Jayhawk fans, we thank him for his generosity": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we sincerely thank Mark and Louise Allen for their work to bring this piece of history back to Kansas. The Naismith original rules of basketball will be on display for all Kansans to visit, and we thank Mark and Louise Allen for the efforts they made to make that a

reality; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Representative Goico.

REPORT ON ENGROSSED BILLS

HB 2381 reported correctly engrossed March 22, 2013.

Also, **HB 2338, HB 2357** reported correctly engrossed March 25, 2013.

REPORT ON ENROLLED BILLS

S Sub for HB 2022; HB 2030, HB 2044, HB 2138, HB 2147, HB 2176, HB 2177, HB 2202 reported correctly enrolled, properly signed and presented to the Governor on March 25, 2013.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Tuesday, March 26, 2013.

Journal of the House

FORTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 26, 2013, 9:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Osterman was excused on verified illness.

Reps. Henderson, Henry, Peterson and Sawyer were excused on excused absence by the Speaker.

Rep. Carlson was excused later in the morning on excused absence by the Speaker.

Present later: Reps. Carlson, Henderson and Sawyer.

Prayer by Chaplain Brubaker:

Lord God,

Today holds a full agenda for our leaders to consider, debate and vote on bills that cover the gamut of issues. They will make decisions regarding education, health, financial institutions, transportation, the judicial process, insurance, and more.

The common element of most of these bills is money. Please grant them wisdom as they determine how they can be benevolent yet frugal; generous yet not spendthrift; save money yet spend it; provide for the genuine needs versus the demands of wants. Your Word cautions us, "*which of you, intending to build a tower, does not sit down first and count the cost; whether he has enough to finish it.*" Only You can see the whole picture which includes the future, so I ask that You grant them Your wisdom in making these decisions.

In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Alcalá.

INTRODUCTION OF GUESTS

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

It is my privilege to introduce to the body today the State Champion Holton football and wrestling teams.

Holton Football: The Holton High School Football team is being recognized today as 2012-2013 Class 4-H State Champions with a 14-0 undefeated season. They had a total of 8 touchdowns scored against them this season---4 of them by McPherson, a powerhouse in 4-A football, during the playoff series. Members and Coach being recognized today include:

Cameron Karn - Honorable Mention all state and 1st team all Big 7 League

Brandon Schumann, 3rd team all state and 1st team all class 4-A. Brandon will be playing football at Ft. Scott next fall.

Chase Wilson - 1st team all Big 7 League and was selected by his peers as a team Captain.

Trent Tanking - 1st team all state and 1st team all class 4-A. Trent will attend K-State as a walk-on in the Football program next fall. Trent is a Putnam Scholar and received a perfect score on the ACT Math test.

Coach Brooks Barta - Coach Barta was honored by becoming a member of the Kansas Shrine Hall of Fame.

Holton Wrestling: The Holton High School Wrestling team is being honored today for becoming 4-A State Wrestling Champions for the 2012-2013 season. The team is being represented today by:

Hunter Price who captured the 4-A State Championship in the 120 lb weight class. Hunter has the most career wins for a Holton High School Wrestler with 126 wins.

Garrett Lambrecht who was a Senior Wrestler but was not able to participate this year because of a knee injury. He was a leader in practice each day.

And **Coach Cullen Jackson**, who has been Selected as Class 4A Coach of the Year.

Rep. Carlson presented the members of each team with a framed House certificate.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 20**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 56**, requests a conference and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **Sub SB 57**, requests a conference and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 81**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 102**, requests a conference and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 120**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2009** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2015** and has

appointed Senators King, Smith 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 2017** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2049** and has appointed Senators Love, Kerschen 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 2093** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2120** and has appointed Senators King, Smith 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 2143** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2204** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

CONSENT CALENDAR

No objection was made to **Sub SB 70** appearing on the Consent Calendar for the second day.

No objection was made to **SB 24, SB 25, SB 166** appearing on the Consent Calendar for the third day. The bill were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 24, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurance companies; amending K.S.A. 2012 Supp. 40-2c01 and 40-2c05 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 25, AN ACT concerning insurance; relating to risk-based capital requirements for health organizations; amending K.S.A. 40-2d05 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 166, AN ACT concerning insurance; pertaining to the insurers supervision, rehabilitation and liquidation act; amending K.S.A. 40-3607 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

Sub HB 2002, AN ACT concerning the division of post audit; relating to certain financial and security audits; amending K.S.A. 2012 Supp. 46-1106, 46-1118 and 74-4921 and repealing the existing sections; also repealing K.S.A. 74-8707, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The substitute bill passed.

HB 2057, AN ACT concerning property taxation; relating to county appraisers; appointing interim appraiser; amending K.S.A. 2012 Supp. 19-430 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2101, AN ACT concerning utilities; relating to electric transmission, interstate siting compact, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Schwab.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

Sub HB 2262, AN ACT concerning the oil and gas valuation depletion trust fund; relating to amount credited to such fund; amending K.S.A. 2012 Supp. 79-4227 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 23; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Wolfe Moore.

Nays: Alcalá, Bridges, Burroughs, Carlin, Christmann, Dillmore, Frownfelter, Grant, Hibbard, Meier, Menghini, Perry, Ruiz, Schroeder, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The substitute bill passed.

EXPLANATION OF VOTE

MR SPEAKER: For the counties affected by the Oil and Gas Depletion Trust Fund, oil

and gas is a major component of their industrial base, just as aircraft manufacturing is the industrial base of Sedgwick County, the service industry is the industrial base of Johnson County, and state government is the industrial base of Shawnee County. However the oil and gas counties live with the unfortunate reality that their industrial base will one day disappear. **Sub HB 2262** provides them some relief for that day when the wells go dry. I vote yes on **Sub HB 2262**. — DON HINEMAN, TRAVIS COUTURE-LOVELADY, JOE SEIWERT, RONALD W. RYCKMAN, SR., RUSS JENNINGS, KEVIN JONES, TROY L. WAYMASTER, STEPHEN ALFORD

HB 2338, AN ACT concerning docket fees; amending K.S.A. 5-517 and K.S.A. 2012 Supp. 20-362, 28-172a, 74-7325, 74-7334 and 75-7021 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 20-367, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 52; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Boldra, Bradford, Brunk, Couture-Lovelady, Carpenter, Cassidy, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Barker, Becker, Bideau, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Rooker, Ruiz, Sloan, Sloop, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

HB 2377, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 2012 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, 61-4001 and 65-409 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Powell,

Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2387, AN ACT concerning crimes, punishment and criminal procedure; relating to felony murder; capital murder; amending K.S.A. 2012 Supp. 21-5402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 2; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Meier, Sutton.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2389, AN ACT concerning crimes, punishment and criminal procedure; relating to capital murder; notice of intent to seek the death penalty; amending K.S.A. 2012 Supp. 21-6617 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop,

Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Gandhi.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HCR 5014, urging the Department of State and the White House to approve the Presidential Permit application allowing the construction and operation of the TransCanada Keystone XL Pipeline between the United States and Canada in order to strengthen United States energy security, to provide for critical pipeline infrastructure, to achieve North American energy independence and to stimulate the American economy and create jobs, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 11; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Finney, Kuether, Lusk, Menghini, Sloop, Tietze, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The resolution was adopted.

SB 1, AN ACT concerning the legislative post audit act; relating to periodic audits of the state treasurer and the pooled money investment board; transition audits; amending K.S.A. 2012 Supp. 46-1106 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips,

Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 16, AN ACT concerning racketeering; enacting the Kansas racketeer influenced and corrupt organization act; relating to criminal street gangs; forfeiture; amending K.S.A. 2012 Supp. 21-5302, 21-6313 and 60-4104 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 45; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Becker, Bideau, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carpenter, Cassidy, Claeys, Clayton, Concannon, Crum, Dierks, Dillmore, Doll, Edmonds, Edwards, Ewy, Finch, Frownfelter, Gandhi, Goico, Gonzalez, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Howell, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuether, Macheers, Meier, Meigs, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Wolfe Moore.

Nays: Alcala, Ballard, Barker, Boldra, Bridges, Brunk, Couture-Lovelady, Carlin, Christmann, Corbet, Davis, DeGraaf, Dove, Esau, Finney, Garber, Grant, Grosserode, Hawkins, Hedke, Hildabrand, Houser, Houston, Huebert, Jones, Kahrs, Kelley, Kinzer, Lane, Lunn, Lusk, Mast, McPherson, Menghini, Merrick, Petty, Powell, Ruiz, Sloop, Todd, Victors, Weber, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **SB 16**. With the current climate of excessive racial profiling in the state of Kansas and the bill's broad description of potential offenders and prosecutor's latitude, this bill will result in many unintended consequences that will exacerbate the problem of racial profiling and it will have a disparate impact on people of color, depriving innocent citizens of due process and equal protection of the law. — GAIL FINNEY, VALDENIA C. WINN, PATRICIA M. SLOOP, RODERICK HOUSTON, PONKA-WI VICTORS, BARBARA BALLARD

MR. SPEAKER: Accepting that different people are guilty of different crimes for perpetrating the same bad acts is antithetical to the philosophical underpinnings of our nation and state. **SB 16** places the protection of essential liberties in the hands of prosecutorial discretion. Surrendering a well-apportioned rule of law in favor of the wisdom of the state is the beginning of the end of a free society; as such, we vote no on

SB 16. – CRAIG MCPHERSON, BRETT HILDABRAND, KEITH ESAU, AMANDA GROSSERODE, RANDY GARBER, JAMES TODD, NANCY LUSK, KEVIN JONES

MR SPEAKER: I am very supportive of the provisions of **SB 16**. However, I cannot support the bill in its present form because this Legislature has not approved the additional funding for the 915 new prison beds that this bill requires. If necessary appropriations are provided, I will be pleased to support the bill. I vote no on **SB 16**. - PAUL DAVIS

SB 37, AN ACT concerning the Kansas home inspectors professional competence and financial responsibility act; amending K.S.A. 2012 Supp. 58-4501 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 17; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hill, Hineman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Meier, Meigs, Menghini, Merrick, Moxley, Pauls, Peck, Perry, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, Esau, Garber, Grosserode, Hildabrand, Hoffman, Kelley, Kinzer, Mast, McPherson, Montgomery, O'Brien, Petty, Powell, Rhoades, Schwab, Siegfried.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 58, AN ACT concerning crimes, criminal procedure and punishment; relating to manufacture of methamphetamine; amending K.S.A. 2012 Supp. 21-5703 and 21-6805 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop,

Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 68, AN ACT concerning motor vehicles; relating to driver's licenses; examinations, locations; amending K.S.A. 2012 Supp. 8-235d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carlin, Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 74, AN ACT concerning the prison-made goods act; relating to the manufacture or production of manufactured homes or modular homes, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 32; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Campbell, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, Davis, DeGraaf, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, O'Brien, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Burroughs, Couture-Lovelady, Carlin, Clayton, Concannon, Dierks, Ewy, Finch, Finney, Frownfelter, Gandhi, Hill, Houston, Hutton, Johnson, Lusk, Meier, Montgomery, Moxley, Pauls, Rooker, Ruiz, Sloop, Thimesch,

Todd, Victors, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **SB 74**. This is a “manufactured” issue from the Manufactured Housing group. For the last two years, I’ve been working on a national committee on manufactured housing issues. Kansas prisons have never been in competition with that industry and corrections has no interest in being in competition. If you vote ‘yes’ you are preventing the good that now occurs by the very few houses that are built for the needy. – JAN PAULS

SB 75, AN ACT concerning plastic bulk merchandise containers; relating to sales; records; civil penalties, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 18; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Cassidy, Christmann, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bideau, Brunk, Carpenter, Claeys, Corbet, Esau, Grosserode, Hildabrand, Hutton, Kelley, Kinzer, Macheers, McPherson, Meigs, Petty, Powell, Rubin, Todd.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 88, AN ACT concerning crimes, punishment and criminal procedure; relating to certain defendants; children's advocacy center assessment fee; amending K.S.A. 20-370 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini,

Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 96, AN ACT concerning motor vehicles; relating to registration fees, multiple registration facilities; amending K.S.A. 2012 Supp. 8-145d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 12; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Wolfe Moore.

Nays: Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Houston, Kuether, Ward, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Dierks, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 118, AN ACT concerning crimes, criminal procedure and punishment; relating to reporting and investigation of missing persons; amending K.S.A. 2012 Supp. 75-712b and 75-712c and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips,

Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 122, AN ACT concerning the Kansas administrative procedure act; service of order or notice; amending K.S.A. 2012 Supp. 77-531 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 124, AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101, 50-112, 50-158 and 50-161 and repealing the existing sections; also repealing K.S.A. 50-108 and 50-115, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 1; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton,

Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore, Kuether.

Present but not voting: Hill.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 135, AN ACT concerning the boiler safety act; transferring duties from the secretary of labor to the state fire marshal; amending K.S.A. 44-916, 44-917, 44-918, 44-919, 44-920, 44-921, 44-922, 44-923, 44-924, 44-925, 44-927 and 44-929 and K.S.A. 2012 Supp. 44-636, 44-914, 44-915, 44-926 and 44-928 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Kuether, Lane, Seiwert, Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 139, AN ACT concerning money transmitters; amending K.S.A. 2012 Supp. 9-508, 9-509, 9-510, 9-511, 9-513, 9-513c and 9-513d and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 1; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton,

Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Kinzer.

Present but not voting: Hawkins.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

On motion of Rep. Vickrey, 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 **SB 113** be passed.

Committee report to **SB 199** be adopted; also, on motion of Rep. Crum be amended on page 4, in line 6, after "Kansas" by inserting "appointed by the chief executive officer of via christi health and such original member shall serve three years";

Also, roll call was demanded on motion of Rep. Bollier to amend **SB 199** on page 1, in line 10, by striking all following "(2)"; by striking all in lines 11 and 12;

In line 13, by striking "(3) facilitate" and inserting "collaborate with Kansas City, Wichita, Omaha and other midwest region university, hospital and cell manufacturing facilities to arrange";

And by redesignating paragraphs accordingly;

Also on page 1, in line 15, by striking "partner and"; in line 21, after "cells" by inserting "where appropriate"; following line 29, by inserting:

"(b) Where appropriate, the center may serve as a core facility to produce clinical grade stem cells from adult tissues, cord blood and related materials for use in clinical trials and therapies.

(c) (1) The rules of governance and administration then otherwise applicable to the performance of education, fundraising, clinical practice, education, human resources, clinical trials, and fee-for-service arrangements at the university of Kansas medical center shall apply to the activities of the center, including, but not limited to, university policies of risk management and compliance in these areas: Human subjects and conflict of interest.

(2) In addition, as a condition of producing clinical grade stem cells by the center for use in humans or the conducting of clinical trials at the university of Kansas medical center involving clinical grade stem cells produced by the center, the center shall demonstrate to the satisfaction of the administration of the university of Kansas medical center and where appropriate the administration of the university of Kansas hospital authority that the center has:

(A) Obtained and maintained a satisfactory record of federal manufacturing facility inspection and licensure, where appropriate;

(B) obtained and maintained a satisfactory record of accreditation status from a nationally recognized accreditation organization utilizing internationally recognized standards of accreditation (such as the foundation for accreditation of cellular therapy) for center facilities producing clinical grade stem cells; and

(C) satisfied all other rules of governance and administration otherwise applicable to the type of activities to be conducted by the center at the university of Kansas

medical center or the university of Kansas hospital authority.

(3) The center's commission to advance adult, cord blood and related stem cell and non-embryonic stem cell therapies for patient treatment and to do so in compliance with section 5, and amendments thereto, does not require the center to:

(A) Establish or operate a cell manufacturing facility at the university of Kansas medical center or the university of Kansas hospital authority; and

(B) supplant or exclude the participation of other appropriate cell manufacturing facilities engaged by the center that agree by appropriate lease and operating arrangements to comply with section 5, and amendments thereto.

(4) The center's commission to advance adult, cord blood and related stem cell and non-embryonic stem cell therapies for patient treatment and to do so in compliance with section 5, and amendments thereto, does not require the university of Kansas medical center or the university of Kansas hospital authority to participate in the operation of a cell manufacturing facility for the center.";

On page 2, in line 23, after "Fees" by inserting "may be"; in line 24, by striking ", clinical trial fees"; also in line 24, by striking "shall be paid"; by striking all in line 25; in line 26, by striking all before the period and inserting ". Fees, funds and grants may be received for conducting sponsored research and clinical trials. All such fees, funds and grants shall be paid, where appropriate, to the university of Kansas medical center, the university of Kansas research institute, inc. or the university of Kansas endowment. The director, subject to the rules of governance and administration then otherwise applicable to the university of Kansas medical center and such other payees, may determine the appropriate payee";

Also on page 2, in line 36, after "fees" by inserting ", funds and grants";

On roll call, the vote was: Yeas 40; Nays 74; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gandhi, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Menghini, Moxley, Perry, Phillips, Proehl, Rooker, Ruiz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Nays: Alcalá, Barker, Becker, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, O'Brien, Pauls, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard, Bruchman, Carlson, Henderson, Henry, Johnson, Osterman, Peck, Peterson, Sawyer, Schwab.

The motion of Rep. Bollier did not prevail; and **SB 199** be passed as amended.

Committee report to **HB 2403** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 203** be amended on page 4, by striking all in lines 42 and 43;

On page 5, by striking all in lines 1 through 32 and inserting the following:

"Sec. 3. K.S.A. 2012 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 is not~~ 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. 2012 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. 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, microdistillery 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. 2012 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;

Also on page 5, in line 33, after "41-104" by inserting ", 41-311";

On page 1, in the title, in line 2, after the semicolon by inserting "relating to licensure under the Kansas liquor control act;"; also in line 2, after "41-104" by inserting ", 41-311"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 226** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 226," as follows:

"House Substitute for SENATE BILL NO. 226

By Committee on Federal and State Affairs

"AN ACT concerning fireworks; amending K.S.A. 2012 Supp. 31-505 and repealing the existing section; also repealing K.S.A. 31-155 and 31-156."; and the substitute bill be passed.

(**H Sub for SB 226** was thereupon introduced and read by title.)

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 20**.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 56**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **Sub SB 57**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 81**.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 102**.

Speaker Merrick thereupon appointed Reps. DeGraaf, Howell and Lane as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 120**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Garber, **HR 6019**, A RESOLUTION declaring July 27, 2013, as "Joe Tinker Day.", was adopted.

There being no objection, the following remarks of Reps. Garber and Ewy are spread upon the Journal:

Remarks of Rep. Garber:

With the long hours we've already had and the many that are before us, now is a good time to relax a little and enjoy a bit of our past. Many of us have fond memories of baseball and the role it played in our lives and in the history of our country. I would like to share a few thoughts with the body today concerning America's greatest pastime.

James Earl Jones played the character Terence Mann in the 1989 movie "Field of Dreams" starring Kevin Costner who played Ray Kinsella, a farmer who built a magical baseball field on his farm. The result was several players of baseballs early era came out of the adjacent cornfield to play. These players included "Shoeless Joe" Jackson and "Moonlight" Graham. These are a few of James Earl Jones lines towards the end of the movie.

"Ray, People will come, Ray. They'll come to Iowa for reasons they can't even

fathom. They'll turn up your driveway not knowing for sure why they're doing it. They'll arrive at your door as innocent as children....longing for the past. "Of course, we won't mind if you look around" you'll say. "It's only twenty dollars per person." They'll pass over the money without even thinking about it. For it is money they have and peace they lack. Then they'll walk off to the bleachers and sit in their shirtsleeves on a perfect afternoon. They'll find they have reserved seats somewhere along one of the baselines....where they sat when they were children and cheered their heroes.... and they'll watch the game....and it will be as if they dipped themselves in magic waters. The memories will be so thick they'll have to brush them away from their faces. People will come, Ray. The one constant through all the years, Ray, has been baseball. America has rolled by like an army of steamrollers. It's been erased like a blackboard, rebuilt and erased again. But baseball marked the time. This field, this game, it's part of our past, Ray. It reminds us of all that once was good and it could be again. Ohhh. People will come, Ray. People will most definitely come."

Thank you to Representative Ewy for providing a vintage baseball. Representative Ewy has a few words to share.

Remarks of Rep. Ewy:

We are thankful to the Civil War Veterans who brought the game of "baseball" to Kansas following the war. The Hodgeman County Nine Vintage Baseball Team of Hodgeman County Kansas was formed to promote the game as it was played in the 1860s and hopes to be able to take part in the celebration.

Additional remarks of Rep. Garber:

The following is a poem written by Franklin P Adams concerning this infamous double-play trio. It is titled "Baseball's Sad Lexicon."

These are the saddest of possible words: Tinker to Evers to Chance.

Trio of Bear-cubs, fleeter than birds. Tinker to Evers to Chance.

Ruthlessly pricking our gonfalon bubble, making a Giant hit into a double.

Words that are weighty with nothing but trouble: Tinker to Evers to Chance.

We welcome Jeff and C.J. Hanson from Muscotah and Marci Penner from the Kansas Sampler Foundation. Jeff is spearheading the efforts to build a museum to preserve the memory of Joe Tinker. The museum will include the world's largest baseball made from the towns' old water tower. There are plans to have a mini-infield behind the baseball with iron cutouts of the famous double-play combination.

We would like to welcome each of you to Muscotah on July 27th to help us celebrate Joe Tinker day. A vintage baseball game between the Hodgeman County 9 and the Wichita Redstockings is planned for that day. I encourage the people of this great state to remember this citizen of Kansas and contemplate the success available to anyone who sets visionary goals for their future. Please welcome our guests.

On motion of Rep. Vickrey, the House resolved into the 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 **SB 52, SB 21** be passed.

SCR 1606 be adopted.

Committee report to **SB 149** be adopted; also, on motion of Rep. Ryckman Jr. be amended on page 14, in line 27, by striking "criminal prosecutions";

On page 15, in line 31, after "has" by inserting "been";

Also, Rep. Ruiz requested the bill be divided. The Rules Chair ruled dividing a bill is not possible under the House Rules, and the bill be passed as amended.

Roll call was demanded on motion of Rep. Clayton to amend **SB 142** on page 1, in line 7, by striking all after "birth"; by striking all in lines 8 through 10; in line 11, by striking all before the period; in line 32, following "person's" by inserting "negligent"; in line 33, following the period by inserting ""Claim of wrongful birth" shall not include a cause of action brought by a parent, legal guardian or other individual legally required to provide for the support of a minor, which seeks damages, whether economic or noneconomic, as a result of a physical condition of such minor that existed at the time of such minor's birth, and which is based on a claim that a person's intentional action or omission contributed to such minor's mother not obtaining an abortion.";

On roll call, the vote was: Yeas 41; Nays 79; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Menghini, Perry, Phillips, Proehl, Rooker, Ruiz, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Weber.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Sawyer.

The motion of Rep. Clayton did not prevail and **SB 142** be passed.

Committee report to **SB 187** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail. Also, on motion of Rep. Frownfelter to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **SB 136** be adopted; also, on motion of Rep. Jones be amended on page 6, in line 7, after "K.S.A." by inserting "65-2422d and"; following line 8, by inserting:

"(2) Nothing in this section shall prevent the transmittal of motor vehicle records for the purpose of processing voter registration applications.";

And by redesignating paragraphs accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "the division of vehicles; relating to"; in line 2, by striking "veterans; authorizing the director of vehicles to provide"; in line 3, by striking all before the semicolon and inserting "motor vehicle records"; and **SB 136** be passed as amended.

Committee report to **SB 111** be adopted; and the bill be passed as amended.

Committee report to **SB 63** be adopted; also, on motion of Rep. Huebert be amended on page 5, in line 7, following the period by inserting "Any funds remaining in such political committee may be donated in its entirety to a political party.";

Also, on motion of Rep. Dillmore to amend **SB 63**, the motion did not prevail. Also, on motion of Rep. Alcalá to amend, the motion did not prevail; and the bill be passed as amended.

On motion of Rep. Huebert, **HB 2391** be amended on page 2, in line 14, by striking "nine" and inserting "six"; in line 30, by striking "nine-year" and inserting "six-year"; in line 32, by striking "80%" and inserting "75%"; in line 34, by striking "nine-year" and inserting "six-year"; in line 36, by striking "70%" and inserting "60%"; in line 38, by striking "nine-year" and inserting "six-year"; in line 40, by striking "60%" and inserting "45%"; in line 42, by striking "nine-year" and inserting "six-year";

On page 3, in line 1, by striking "50%" and inserting "30%"; in line 3, by striking "nine-year" and inserting "six-year"; in line 4, after the semicolon, by inserting "and"; in line 5, by striking "40%" and inserting "15%"; in line 7, by striking "nine-year" and inserting "six-year"; in line 8, by striking the semicolon; by striking all in lines 9 through 19; in line 20, by striking all before the period; and the bill be passed as amended.

Committee report to **SB 164** be adopted; also, on motion of Rep. Menghini to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **SB 171** be adopted; and the bill be passed as amended.

Committee report to **HB 2197** be adopted; and the bill be passed as amended.

Committee report to **HB 2244** be adopted; also, on motion of Rep. Howell to amend Rep. Dillmore 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. Howell to amend on page 5, following line 19, by inserting:

"New Sec. 3. (a) As used in this section:

(1) "Disaster area" means an area in which a proclamation declaring a state of disaster emergency has been issued by the governor.

(2) "Homestead" means the dwelling, or any part thereof, which is owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated.

(3) "Substantial damage" means damage of any origin sustained by a homestead as the direct result of a natural disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(b) On and after January 1, 2012, a homeowner whose homestead has sustained substantial damage and is located in a disaster area may apply to the state treasurer, or the state treasurer's designee, for benefits under this section. Upon application, the homeowner shall be required to:

(1) Demonstrate the appraised value of the homestead prior to it sustaining substantial damage by submitting either the last county appraisal of such homestead or a real estate appraisal of the homestead which was conducted not more than one year from the date the homestead sustained substantial damage; and

(2) submit affidavits and written estimates from two licensed contractors showing repair costs.

(c) (1) Upon application and submission of documents required by subsection (b), the state treasurer shall authorize a transfer of funds from the state emergency fund to the county treasurer in the amount calculated pursuant to this subsection. The county treasurer shall accept payment and apply it to the tax rolls to satisfy property taxes owed on the homestead by the taxpayer.

(2) The amount of the transfer from the state general fund to the county treasurer shall be computed as follows:

Date which substantial damage occurs	Amount of property tax credited
On or after January 1, but before February 1.....	Full amount
On or after February 1, but before March 1.....	$\frac{11}{12}$
On or after March 1, but before April 1.....	$\frac{5}{6}$
On or after April 1, but before May 1.....	$\frac{3}{4}$
On or after May 1, but before June 1.....	$\frac{2}{3}$
On or after June 1, but before July 1.....	$\frac{7}{12}$
On or after July 1, but before August 1.....	$\frac{1}{2}$
On or after August 1, but before September 1.....	$\frac{5}{12}$
On or after September 1, but before October 1.....	$\frac{1}{3}$
On or after October 1, but before November 1.....	$\frac{1}{4}$
On or after November 1, but before December 1.....	$\frac{1}{6}$
On or after December 1, but before January 1.....	$\frac{1}{12}$

(d) Under no circumstances shall the total amount of benefits authorized or granted to the aggregate of all applicants under this section exceed \$5,000,000 for the fiscal year commencing on July 1, 2012 and all fiscal years thereafter.

(e) The state treasurer shall adopt all rules and regulations necessary to implement and administer the provisions of this section.

Sec. 4. K.S.A. 2012 Supp. 75-3712 is hereby amended to read as follows: 75-3712. (a) The state emergency fund is hereby continued in the state treasury for the use of the state finance council created by K.S.A. 75-3708, and amendments thereto, for the purposes and within the limitations prescribed by K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d, 75-3714 and K.S.A. 2012 Supp. 75-3713e and section 2, and amendments thereto.

(b) (1) Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund. The total of all amounts transferred from the state general fund to the state emergency fund pursuant to this subsection (b)(1) during any fiscal year shall not exceed \$10,000,000, excluding all amounts transferred from the state general fund pursuant to subsection (b)(2).

(2) In addition to the provisions of subsection (b)(1), during the period commencing on the effective date of this act until January 14, 2008, notwithstanding the provisions of any other statute to the contrary:

(A) The director of the budget shall provide: (i) Notice to the state finance council that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, which is directly related to a severe weather-related state of disaster emergency declared by the governor pursuant to K.S.A. 48-924, and amendments thereto; and (ii) the director of the budget shall include with such notice the director's recommendations regarding a specific amount or amounts, which in the aggregate are equal to the insufficient amount, and which could be transferred to the state emergency fund for such purpose from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds; and

(B) upon approval such recommendation or any modification thereof by the state finance council, by unanimous vote of all of the members of the 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 director of the budget shall certify to the director of accounts and reports such recommendation, including any modifications, as approved by the state finance council; and

(C) upon receipt of such certification by the director of the budget, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds, to the state emergency fund, except that the total of all amounts transferred to the state emergency fund pursuant to this subsection (b)(2) during the period commencing on the effective date of this act until January 14, 2008, shall not exceed \$25,000,000.";

And by renumbering sections accordingly;

On page 5, in line 20, after "Supp." by inserting "75-3712 and "; also in line 20, by striking "is" and inserting "are";

On page 1, in the title, in line 1, following "watercraft;" by inserting "homesteads destroyed by natural disasters;" in line 2, after "Supp." by inserting "75-3712 and"; in line 3, by striking "section" and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 50; Nays 69; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Becker, Bridges, Burroughs, Carlin, Christmann, Claeys, Clayton, Davis, DeGraaf, Dillmore, Doll, Dove, Edwards, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hermanson, Hibbard, Houston, Howell, Huebert, Kuether, Lusk, Meier, Menghini, Montgomery, O'Brien, Pauls, Peck, Perry, Read, Rooker, Rothlisberg, Ruiz, Sloop, Sutton, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Concannon, Corbet, Crum, Dierks, Edmonds, Esau, Ewy, Finch, Grosserode, Hawkins, Hedke, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Moxley, Petty, Phillips, Powell, Proehl, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Sawyer, Siegfried.

The motion of Rep. Dillmore did not prevail; and **HB 2244** be passed as amended.

Committee report to **SB 23** be adopted; also, on motion of Rep. Huebert be amended on page 6, in line 6, by striking "22.5%" and inserting "12.5%";

On page 10, in line 38, by striking "and 72-6459";

Also, on motion of Rep. Winn to amend **SB 23**, the motion did not prevail.

Also, on motion of Rep. Kleeb, **SB 23** be amended on page 1, following line 8, by inserting:

"New Section 1. The director of budget and the director of legislative research shall jointly certify to the secretary of state that the aggregate amount of appropriations for the school district capital outlay state aid fund is equal to 100% of the amount that school districts are entitled to receive from the school district capital outlay state aid fund for such school year pursuant to K.S.A. 2012 Supp. 72-8814, and amendments thereto. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register.;"

On page 21, following line 37, by inserting:

"Sec. 16. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 2012 Supp. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate for a period of not to exceed five years upon the taxable tangible property in the school district for the purposes specified in this act and for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy for a period not to exceed _____ years in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of buildings school district property and equipment necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses incidental thereto; the; (5) acquisition of building sites; the; (6) undertaking and maintenance of asbestos control projects; the; (7) acquisition of school buses and the; and (8) acquisition of other equipment fixed assets, and for the purpose of paying a portion of the principal and

interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for ~~the~~ that purpose or at the next general election, as is specified by the board of education of the above 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 above resolution shall be appropriately filled. The blank preceding the word "years" shall be filled with a specific number, and the blank preceding the word "mills" shall be filled with a specific number, and no word shall be inserted in either of the blanks. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and

maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 17. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 is hereby amended to read as follows: 72-8804. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of buildings school district property and equipment necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; (4) architectural expenses ~~incidental thereto, the;~~ (5) acquisition of building sites; ~~the;~~ (6) undertaking and maintenance of asbestos control projects; ~~the;~~ (7) acquisition of school buses ~~and the;~~ and (8) acquisition of other equipment fixed assets.

(b) The board of education of any school district is hereby authorized to invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 18. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8812 is hereby amended to read as follows: 72-8812. This act shall not in any manner be construed as affecting the validity of any tax levies authorized to be made under article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act, nor shall this act in any manner be construed as affecting the validity of any bonds issued or authorized to be issued under ~~said~~ article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act.";

And by redesignating sections accordingly;

On page 22, following line 4, by inserting:

"Sec. 21. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 and 72-8812 and K.S.A. 2012 Supp. 72-8801 are hereby repealed.";

On page 1, in the title, in line 3, after "72-6444" by inserting ", 72-8804 and 72-8812"; in line 5, after "72-6456" by inserting ", 72-8801";

Also, roll call was demanded on motion of Rep. Grosserode to amend **SB 23 on page 1, following line 8, by inserting "New Section 1. (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 of 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) 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;

On roll call, the vote was: Yeas 41; Nays 78; Present but not voting: 0; Absent or not voting: 6.

Yeas: Becker, Bollier, Bradford, Bruchman, Campbell, Carlson, Christmann, Clayton, Corbet, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Grosserode, Highland, Hildabrand, Houser, Howell, Huebert, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Perry, Petty, Rhoades, Rooker, Rubin, Ryckman Jr., Schwab, Sutton, Todd, Vickrey.

Nays: Alcalá, Alford, Ballard, Barker, Bideau, Boldra, Bridges, Brunk, Burroughs, Couture-Lovelady, Carlin, Carpenter, Cassidy, Claeys, Concannon, Crum, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kuether, Lane, Meier, Menghini, Moxley, O'Brien, Pauls, Peck, Phillips, Powell, Proehl, Read, Rothlisberg, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Swanson, Thimesch, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Siegfried, Suellentrop.

The motion of Rep. Grosserode did not prevail; and **SB 23** be passed as amended.

On motion of Rep. Hedke, **HB 2378** be amended on page 13, in line 40, after "all" by inserting "machinery and"; and the bill be passed as amended.

Committee report to **HB 2267** be adopted; also, on motion of Rep. Edmonds be amended on page 7, following line 8, by inserting:

"Sec. 3. K.S.A. 2012 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax.

This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2012 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xv) of subsection (c) of K.S.A. 79-32,117, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2012 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2012 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development

account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xiii) of subsection (c), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the

federal adjusted gross income of an individual taxpayer.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2012 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2012 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the

Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment

determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

And by renumbering sections accordingly;

Also on page 7, in line 9, before "79-32,160a" by inserting "79-32,117,";

On page 1 in the title, in line 1, by striking the second semicolon and inserting a comma; in line 2, after "program;" by inserting "deductions, certain expenses related to living donor organ donations;" in line 3, after "50,131" by inserting ", 79-32,117"; and **HB 2267** be passed as amended.

On motion of Rep. Hill, **HB 2396** be amended on page 1, following line 7, by inserting:

"New Section 1. (a) The state board of regents is hereby authorized for and on behalf of Emporia state university, to sell and convey, or exchange with the Emporia state university foundation for property of equal or greater value, all of the rights, title and interest in the following tract of real estate and any improvements thereon, located in the city of Emporia in Lyon county, Kansas, commonly known as Emporia State University Apartments at 1201 Triplett Drive, Emporia, Kansas 66801, and described as follows: Even lots 2 through 34 and all of now vacated alleys lying adjacent to said lots, lying south of the south right of way line of Interstate 35, all in Kellogg's addition to the City of Emporia, Lyon County, Kansas, according to the recorded plat thereof.

Also: Lots 1 through 24 in Norton's addition to the City of Emporia, Lyon County, Kansas, according to the recorded plat thereof, all of now vacated alleys lying adjacent to said lots, all of that part of now vacated Eskridge street and all of that part of now vacated Union Pacific railroad, lying west and south of East Street and south of the south right of way line of Interstate 35.

(b) Conveyance of such rights, title and interest in such tract of real estate, and any improvements thereon, shall be executed in the name of the state board of regents by its chairperson and chief executive officer. If a sale is made, not an exchange, the proceeds from sale of such tract of real estate, and any improvements thereon, shall be deposited in the state treasury to the credit of an appropriate account of the restricted fees fund of Emporia state university. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general.

(c) In the event that the state board of regents determines that the legal description of such tract of real estate described by this section is incorrect, the state board of regents may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

(d) No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general.

(e) The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2012 Supp. 75-6609, and amendments thereto.

New Sec. 2. (a) The state board of regents, for and on behalf of the university of Kansas, is hereby authorized to exchange and convey the real property described in subsection (b) to the Kansas university endowment association in consideration for the Kansas university endowment association exchanging and conveying the real property described in subsection (c) to the university of Kansas. The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and its chief executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2012 Supp. 75-6609, and amendments thereto.

(b) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey the following described real property to the Kansas university endowment association:

Part of Lots 2, 3 and 10, Block 8 Oread Addition, a subdivision in the City of Lawrence, Douglas County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of said Block 8 Oread Addition; thence South 01 degrees 50 minutes 57 seconds East along the West line of said Block 8 a distance of 250.07 feet to the Northwest corner of the South One-Half of Lot 10 Block 8 Oread Addition said point being the Point of Beginning; thence North 88 degrees 11 minutes 58 seconds East along the North line of the South One-Half of said Lot 10 a distance of 125.00 feet to a point said point being the Northeast corner of the South One-Half of said Lot 10; thence North 01 degrees 50 minutes 57 seconds West a distance of 100.00 feet to a point said point being the Northwest corner of the South One-Half of Lot 2 Oread Addition; thence North 88 degrees 11 minutes 58 seconds East along the North line of said South One-Half of Lot 2 a distance of 213.77 feet to a point on the Westerly right of way of Oread Avenue, said point also being the Northeast corner of the South One-Half of said Lot 2; thence South 08 degrees 59 minutes 36 seconds West along said Westerly right of way a distance of 120.26 feet to a point; thence South 88 degrees 11 minutes 58 seconds West a distance of 316.15 feet to a point on the West line of said Block 8 Oread Addition; thence North 01 degrees 50 minutes 57 seconds West along said West line a distance of 18.13 feet to the Point of Beginning, and containing 26,183.02 square feet, more or less. Excepting easements, rights of way or restrictions of record.

(c) In accordance with the provisions of this section, the university of Kansas is hereby authorized to accept title to the following described real property conveyed to the university by the Kansas university endowment association:

A Tract of land in the Southwest One-Quarter of Section 31, Township 12 South, Range 20 East of the 6th Principal Meridian, in the City of Lawrence, Douglas County, Kansas, more particularly described as follows:

Beginning at point on the West line of the Southwest One-Quarter of Section 31,

Township 12, Range 20 and 186.53 feet North of the Southwest corner thereof; thence North 01 degrees 49 minutes 01 seconds West along the West line of said Southwest One-Quarter a distance of 190.00 feet to a point on the South right of way of West 14th street as described in the deed recorded in Book 261 at Page 558; thence North 88 degrees 25 minutes 51 seconds East along the said South right of way a distance of 62.94 feet to a point; thence South 01 degrees 49 minutes 01 seconds East a distance of 76.15 feet to a point; thence North 88 degrees 25 minutes 51 seconds East a distance of 128.06 feet to a point; thence North 01 degrees 49 minutes 01 seconds West a distance of 28.65 feet to a point, said point being the Southwest corner of a tract of land described in the deed recorded in Book 304 at Page 626; thence North 88 degrees 25 minutes 51 seconds East along the South line of said tract, a distance of 120.00 feet to a point on the West right of way of Ohio Street; thence South 01 degrees 49 minutes 01 seconds East along the said West right of way a distance of 142.50 feet to a point, said point being the Northeast corner of a tract of land described in the deed recorded in Book 400 at Page 674; thence South 88 degrees 25 minutes 51 seconds West along the North line of said tract recorded in Book 400 at Page 674 and continuing along the North line of a tract of land described in the deed recorded in Book 347 at Page 1276 a distance of 311.00 feet to a point, said point being the Northwest corner of the said tract of land described in the deed recorded in Book 347 at Page 1276, said point also being the Point of Beginning, and containing 43,628.53 square feet, more or less. Excepting easements, rights of way or restrictions of record.";

And by redesignating sections accordingly;

On page 1, in the title, in line 1, by striking "surplus real estate;"; by striking all in lines 2 and 3; in line 4, by striking "determination" and inserting "real property"; and **HB 2396** be passed as amended.

Committee report to **SB 129** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **SB 113, SB 199; HB 2403, HB 2391; SB 52, SB 149; SCR 1606; SB 142, SB 187, SB 23, SB 136, SB 111, SB 63, SB 164, SB 171; HB 2197, HB 2244, HB 2378, HB 2267, HB 2396; SB 129, SB 21** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 113, AN ACT concerning credit unions; pertaining to certain loans; amending K.S.A. 17-2216 and 17-2216a 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley,

Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 199, AN ACT concerning the university of Kansas medical center; establishing the midwest stem cell therapy center, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 32; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Carlin, Clayton, Davis, Dillmore, Doll, Finney, Frownfelter, Gandhi, Henderson, Hill, Hineman, Houston, Kuether, Lane, Lusk, Moxley, Perry, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2403, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance unfunded liability of KPERS; requirements and procedures; employer contribution rates; amending K.S.A. 2012 Supp. 74-4914d and K.S.A. 2012 Supp. 74-4920 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 73; Nays 49; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Cassidy, Claeys, Clayton, Concannon, Corbet, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Frownfelter, Garber, Goico, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Huebert, Hutton, Jennings, Johnson, Kelley, Kelly, Kinzer, Lane, Mast, McPherson, Meigs, Merrick, Moxley, O'Brien, Pauls, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Sawyer, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Swanson, Todd, Vickrey, Waymaster, Weber, Weigel, Whipple.

Nays: Alcala, Ballard, Bridges, Carlin, Carlson, Carpenter, Christmann, Crum, Davis, DeGraaf, Dillmore, Edwards, Finney, Gandhi, Gonzalez, Grant, Grosserode, Henderson, Hoffman, Houston, Howell, Jones, Kahrs, Kleeb, Kuether, Lunn, Lusk, Macheers, Meier, Menghini, Montgomery, Peck, Perry, Powell, Rubin, Ruiz, Schroeder, Schwab, Sloan, Sloop, Sutton, Thimesch, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I want our public employees to have the best retirement available to them. I want KPERS reform to be fiscally responsible, so that future generations will have the same opportunity as the current generation. I don't believe this is a fiscally responsible approach to KPERS reform, therefore I vote no on **HB 2403**. – JOSH POWELL, KEVIN JONES

HB 2391, AN ACT concerning school finance; relating to the financing of ancillary school facilities; amending K.S.A. 2012 Supp. 72-6441 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 64; Nays 57; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Claeys, Clayton, Corbet, Crum, Davis, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Grosserode, Hedke, Highland, Hildabrand, Hoffman, Howell, Huebert, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber.

Nays: Alcala, Alford, Barker, Becker, Bideau, Bridges, Burroughs, Carlin, Carpenter, Christmann, Concannon, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Hawkins, Henderson, Hermanson, Hibbard, Hill, Hineman, Houser, Houston, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kuether, Lane, Meier, Menghini, Moxley, Pauls, Peck, Phillips, Rothlisberg, Ruiz, Sawyer, Seiwert, Sloop, Swanson, Tietze, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Lusk, Osterman, Peterson.

The bill passed, as amended.

SB 52, AN ACT concerning mortgage interest rates; amending K.S.A. 16-207 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, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf,

Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Lane.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 149, AN ACT concerning drug screening; amending K.S.A. 2012 Supp. {39-709,} 39-709e {,} 44-706 {and 75-4362} and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Whipple, Wolfe Moore.

Nays: Alcalá, Ballard, Bollier, Bridges, Carlin, Finney, Henderson, Houston, Kuether, Lane, Ruiz, Sloop, Tietze, Victors, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SCR 1606, honoring pregnancy maintenance resource centers in Kansas and across the United States, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman,

Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The resolution was adopted.

SB 142, AN ACT concerning abortion; relating to civil actions related to the performance of abortions; amending K.S.A. 60-1901 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 89; Nays 33; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Gandhi, Henderson, Hill, Houston, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 187, AN ACT concerning workers; relating to the workers compensation and employment security boards nominating committee; administrative law judge appointments; workers compensation appeals board; amending K.S.A. 2012 Supp. 44-508, 44-551, 44-555c, 44-709 and 75-5708 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 34; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers,

Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Ewy, Finney, Frownfelter, Grant, Henderson, Houston, Huebert, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 23, AN ACT concerning school districts; relating to school finance; amending K.S.A. 72-6444 and K.S.A. 2012 Supp. 72-978, 72-6409, 72-6410, 72-6415b, 72-6431, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6456 and 79-201x and repealing the existing sections; also repealing K.S.A. 2012 Supp. 72-978a, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 136, AN ACT concerning the division of vehicles; relating to drivers' licenses and nondriver identification cards; relating to motor vehicle records; amending K.S.A. 2012 Supp. 8-243, 8-1324 and 74-2012 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carpenter, Houser, Kinzer.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 111, AN ACT concerning native Americans; amending K.S.A. 35-205 and K.S.A. 2012 Supp. 38-2285 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 63, AN ACT concerning elections; relating to voting; regarding penalties for voting crimes; concerning prosecution of election crimes; amending K.S.A. 25-2409, 25-2416, 25-2423, 25-2431 and 25-4153b and K.S.A. 2012 Supp. 25-1128 and 25-2507 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 53; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert,

Shultz, Siegfried, Sutton, Thimesch, Todd, Vickrey, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carpenter, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Grant, Henderson, Hibbard, Hill, Hineman, Houston, Hutton, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Sloop, Suellentrop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 164, AN ACT concerning motor vehicles; relating to the administration of vehicle functions; amending K.S.A. 2012 Supp. 8-126 and 8-129 and repealing the existing sections, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Grant, Kuether, Menghini, Tietze, Trimmer.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 171, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; amending K.S.A. 2012 Supp. 72-8254 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty,

Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2197, 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, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 53; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bideau, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlin, Carlson, Carpenter, Claeys, Clayton, Concannon, Corbet, DeGraaf, Dove, Edwards, Esau, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Henderson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rooker, Rothlisberg, Rubin, Sawyer, Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Vickrey, Victors, Weber, Whipple, Winn.

Nays: Alcalá, Alford, Ballard, Becker, Boldra, Bridges, Burroughs, Campbell, Cassidy, Christmann, Crum, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finney, Frownfelter, Gonzalez, Grant, Hermanson, Hibbard, Hill, Hineman, Houston, Jennings, Johnson, Kelly, Kuether, Lusk, Menghini, Pauls, Perry, Phillips, Proehl, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Sloan, Sloop, Swanson, Thimesch, Tietze, Todd, Trimmer, Ward, Waymaster, Weigel, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2244, AN ACT concerning property taxation; relating to watercraft; amending K.S.A. 2012 Supp. 79-306e and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 15; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward,

Waymaster, Weber, Weigel, Whipple.

Nays: Alcalá, Davis, Gonzalez, Grant, Henderson, Houston, Kuether, Menghini, Ruiz, Schroeder, Sloop, Tietze, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2244**. If the legislature approves this bill, Kansans who own watercraft valued under \$1,000 will be taxed \$12 per year. Kansans who own watercraft valued at \$1,050, will be assessed at 5%, or \$52.50. So, when the \$1,050 boat is taxed at the average statewide mill levy of 135, they will pay \$7.09 in taxes. Boats under \$1,000 pay \$12. Many boats over \$1,000 pay \$7.09. That is not fair; that is not sound tax policy. I vote no. — JULIE MENGhini

HB 2378, AN ACT concerning sales taxation; relating to exemptions; certain machinery and equipment used in surface mining activities; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 18; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Howell, Huebert, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Sutton, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Bridges, Carpenter, Claeys, Dove, Hoffman, Hutton, Kinzer, Mast, McPherson, Powell, Rhoades, Ryckman Jr., Shultz, Sloop, Suellentrop, Thimesch, Ward.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2267, AN ACT concerning income taxation; relating to credits; high performance incentive program; amending K.S.A. 2012 Supp. 74-50,131, 79-32,117 and repealing the existing section and 79-32,160a and repealing the existing sections; also repealing, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson,

Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Davis, Dillmore, Esau, Hawkins, Hildabrand, Kahrs, Kelley, Kinzer, McPherson, Powell, Rubin, Sloop, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2396, AN ACT concerning state property; relating to surplus real estate; identifying real estate as surplus property; allowing the sale of certain surplus real estate by the secretary of administration; appeals of surplus determination; amending K.S.A. 2012 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2012 Supp. 75-6609a, 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 129, AN ACT concerning the state bank commissioner; pertaining to fees; pertaining to costs of certain hearings; amending K.S.A. 9-804 and K.S.A. 2012 Supp. 9-1111, 9-1135, 9-1402, 9-1804, 9-2107, 9-2108 and 9-2111 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford,

Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Esau, Grosserode, Hildabrand, Houser, Kahrs, Kelley, Macheers, McPherson, Petty, Powell, Rubin, Todd.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 21, AN ACT concerning firearms; relating to definition of firearm; criminal possession of a firearm by a convicted felon; expungement; relating to the personal and family protection act; amending K.S.A. 2012 Supp. 12-16,124, 21-6304, 21-6614, 75-7c03, 75-7c04, 75-7c05, 75-7c07 and 75-7c25 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Henderson, Ruiz, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House nonconcurrent in Senate amendments to **S Sub for HB 2150** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. DeGraaf, the House nonconcurrred in Senate amendments to **HB 2139** and asked for a conference.

Speaker Merrick thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurrred in Senate amendments to **HB 2339** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Shultz, Hermanson and Finney as conferees on the part of the House.

On motion of Rep. Rhoades, the House nonconcurrred in Senate amendments to **HB 2149** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rhoades, Suellentrop and Henry as conferees on the part of the House.

On motion of Rep. Schwab, the House nonconcurrred in Senate amendments to **HB 2162** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwab, Huebert and Sawyer as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurrred in Senate amendments to **HB 2128** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurrred in Senate amendments to **HB 2164** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurrred in Senate amendments to **HB 2249** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcala as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurrred in Senate amendments to **HB 2107** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Shultz, Hermanson and Finney as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurrred in Senate amendments to **S Sub for HB 2043** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Finney 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 2411, AN ACT concerning aircraft; prohibiting certain purchases, by Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 72, SB 210, SB 235**.

Announcing passage of **HB 2012, HB 2135, HB 2144, HB 2156, HB 2160, HB 2163, HB 2169, HB 2181, HB 2205, HB 2212, HB 2221, HB 2269, HB 2368**.

Announcing passage of **HB 2011**, as amended by **S Sub for HB 2011; HB 2043**, as amended by **S Sub for HB 2043; HB 2107**, as amended; **HB 2128**, as amended; **HB 2139**, as amended; **HB 2149**, as amended; **HB 2150**, as amended by **S Sub for HB 2150; HB 2162**, as amended; **HB 2164**, as amended; **HB 2170**, as amended; **HB 2249**, as amended; **HB 2261**, as amended; **HB 2339**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 72, SB 210, SB 235.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **H Sub for SB 22** from the Calendar under the heading General Orders and rereferral to Committee on Education.

Also, the withdrawal of **H Sub for SB 18** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **SB 107** from the Calendar under the heading General Orders and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **H Sub for SB 167** from the Calendar under the heading General Orders and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **SB 104** from the Calendar under the heading General Orders and rereferral to Committee on Education.

Also, the withdrawal of **SB 121** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **SB 8** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **SB 80** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6025**—

By Representative Whipple

A RESOLUTION congratulating the Wichita South High School women's basketball team on its class 6A state championship.

WHEREAS, The Wichita South High School women's basketball team won the class

6A state title for 2013; and

WHEREAS, This is the first state title the Wichita South High School women's basketball team has won since 1978. The women defeated the Wichita Heights High School women's basketball team with a score of 46-44; and

WHEREAS, Members of this year's Wichita South High School women's basketball team include Kendrian Elliott, Rachala Ross, Brionna Ross, Eledria Franklin, Ericka Mattingly, Ashlynd Horton, Princess Alcaraz, Kirea Rogers, Patrice Dodson, Madison Northcutt, Sydney James, and Kiera Broehl. The team managers were Ogechi Odunze, Dadreona Tramble, Bria Russell, and Felicia Papamie; and

WHEREAS, The team's coach, Antwain Scales, along with assistant coaches, Heidi Dreiling and Wayne Riddle, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2013 class 6A state championship: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate the Wichita South High School women's basketball team on its class 6A state championship. These young women have worked hard throughout the season, and this state title is a testament to that hard work; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide 21 enrolled copies of this resolution to Representative Whipple.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5017**, by Reps. Merrick and Davis, as follows, was introduced and adopted:

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for periods during the 2013 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 March 27, 2013, and shall reconvene on April 1, 2013, pursuant to adjournment of the daily session convened on March 27, 2013; and

Be it further resolved: That the legislature shall adjourn at the close of business of the daily session convened on April 5, 2013, and shall reconvene on May 8, 2013, pursuant to adjournment of the daily session convened on April 5, 2013; 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.

REPORT OF STANDING COMMITTEE

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

Request No. 84, by Representative Jennings, commending Hayden Goudy on achieving the rank of Eagle Scout;

Request No. 85, by Representatives Thimesch and Hoffman, congratulating the Norwich High School Girls Basketball Team on winning second place in the state tournament;

Request No. 86, by Representative Ewy, commending Hunter Fitzpatrick for winning the "If I Were Mayor" essay contest for the South Central Region of Kansas;

Request No. 87, by Representatives Henderson and Houston, congratulating Sis Linda A. Cofield on celebrating forty years as Kansas East State Minister of Music;

Request No. 88, by Representative Whipple, congratulating Wichita South High School Lady Titans Basketball Team on winning the 2013 6A State Title;

Request No. 89, by Representative Weigel, commending Samuel Reese Holston 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. Vickrey, the committee report was adopted

REPORT ON ENGROSSED BILLS

HB 2101, HB 2181, HB 2197, HB 2391, HB 2403 reported correctly engrossed March 26, 2013.

REPORT ON ENROLLED BILLS

HB 2007, HB 2041, HB 2096, HB 2193, HB 2305 reported correctly enrolled, properly signed and presented to the Governor on March 26, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6022, HR 6023 reported correctly enrolled and properly signed on March 26, 2013.

On motion of Rep. Vickrey the House adjourned pro forma until Wednesday, March 27, 2013 at 9:00 a.m.

Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 27, 2013, 9:00 a.m.

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2411**.

Health and Human Services: **SB 210**.

Taxation: **SB 72, SB 235**.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Ballard as a member of the conference committee on **S Sub for HB 2143** to replace Rep. Henry.

REPORT ON ENGROSSED BILLS

HB 2135, HB 2144, HB 2160, HB 2212, HB 2221 reported correctly engrossed March 27, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, April 1, 2013.

Journal of the House

FIFTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, April 1, 2013, 10:00 a.m.

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

The roll was called with 121 members present.

Rep. Osterman was excused on verified illness.

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

Prayer by Rep. Schwab:

Lord, Thank you so much for a beautiful weekend, where we can celebrate family, beautiful colors of spring, and most of all the resurrection of your son. As we resurrect this morning and return to the business of governing, grant us wisdom, understanding, and most of all your peace, so that we may sleep well, knowing that your will is done. In your Son Jesus' name we pray. Amen.

The Pledge of Allegiance was led by Rep. Bideau.

MESSAGES FROM THE GOVERNOR

HB 2019 approved on March 27, 2013.

Also, **HB 2006**, **HB 2013**, **HB 2066** approved on March 28, 2013

MESSAGES FROM THE SENATE

Announcing passage of **SB 218**.

Announcing passage of **HB 2083**, **HB 2106**, **HB 2200**, **HB 2217**, **HB 2228**, **HB 2278**, **HB 2294**, **HB 2302**, **HB 2322**, **HB 2326**, **HB 2353**.

Announcing passage of **Sub HB 2024**, as amended; **HB 2033**, as amended; **HB 2034**, as amended by **S Sub for HB 2034**; **Sub HB 2051**, as amended by **S Sub for Sub HB 2051**; **HB 2052**, as amended by **S Sub for HB 2052**; **Sub HB 2105**, as amended; **HB 2115**, as amended; **HB 2140**, as amended by **S Sub for HB 2140**; **HB 2201**, as amended; **Sub HB 2207**, as amended; **HB 2213**, as amended; **HB 2234**, as amended; **HB 2303**, as amended; **HB 2363**, as amended.

Announcing adoption of **HCR 5017**.

Also, the Senate nonconcurrs in House amendments to **SB 1**, requests a conference and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 16**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 23**, requests a conference and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 63**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 88**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 96**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 111**, requests a conference and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 122**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 124**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 129**, requests a conference and has appointed Senators Olson, Longbine and Hawk as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 136**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 149**, requests a conference and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 164**, requests a conference and has appointed Senators Petersen, Wolf and Pettey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 171**, requests a conference and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 187**, requests a conference and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 199**, requests a conference and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2025** and has appointed Senators Pilcher-Cook, Bowers 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 2043** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2078** and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2107** and has appointed Senators Olson, Longbine and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2109** and has

appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2128** and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2139** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2149** and has appointed Senators Masterson, Denning 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 2150** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2162** and has appointed Senators Pyle, Holmes and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2164** and has appointed Senators King, Smith 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 2183** and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2249** and has appointed Senators Pyle, Holmes and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2339** and has appointed Senators Olson, Longbine and Hawk 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 218.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 1**.

Speaker pro tem Mast thereupon appointed Reps. Rhoades, Suellentrop and Henry as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 16**.

Speaker pro tem Mast thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 23**.

Speaker pro tem Mast thereupon appointed Reps. Cassidy, Grosserode and Winn as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 63**.

Speaker pro tem Mast thereupon appointed Reps. Schwab, Huebert and Sawyer as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 88**.

Speaker pro tem Mast thereupon appointed Reps. Rhoades, Suellentrop and Henry as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 96**.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Perry as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 111**.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 122**.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 124**.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 129**.

Speaker pro tem Mast thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 136**.

Speaker pro tem Mast thereupon appointed Reps. Goico, Seiwert and Meier as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 149**.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 164**.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Perry as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 171**.

Speaker pro tem Mast thereupon appointed Reps. Cassidy, Grosserode and Winn as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 187**.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 199**.

Speaker pro tem Mast thereupon appointed Reps. Crum, Weber and Ward as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Howell, **HR 6026**, by Representatives Howell, Bridges, Brunk, DeGraaf, Dillmore, Edwards, Finney, Goico, Hawkins, Hedke, Hermanson, Houston, Huebert, Hutton, Kahrs, Sawyer, Seiwert, Sloop, Suellentrop, Victors, Ward and Whipple, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6026—

A RESOLUTION congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.

WHEREAS, The Sedgwick County 4-H Shooting Sports Gold Team won first place at the state shooting match sponsored by the Kansas State Rifle Association and the Jackson and Nemaha Bullmasters 4-H Shooting Program; and

WHEREAS, The Sedgwick County 4-H Shooting Sports Gold Team scored a 2281 out of a possible 2500 while competing against the other 19 teams. This first place finish qualifies the team to attend the Daisy National BB Gun Championship Shooting Match in Rogers, Arkansas, on June 28-30, 2013; and

WHEREAS, Team members were required to shoot 10 bulls-eyes in 4 positions: prone, standing, sitting and kneeling. In addition to shooting, team members took a 50 question test on gun safety and BB gun competition rules; and

WHEREAS, The Sedgwick County team members were Emma Klausmeyer, Ashley Pinkerton, Tessa Simon, Mary Klausmeyer, Olivia Santiago, Madison Frye and Derek Journey; and

WHEREAS, These shooters put in many hours of practice at other 4-H matches across the state. This hard work and dedication was instrumental in winning first place at the state shooting match: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match. These young people have displayed an exemplary work ethic that all Kansans can be proud of; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide eight enrolled copies of this resolution to Representative Howell.

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

Today it is my privilege to introduce some of the finest young people of our great State. These young people are members of the 4-H club in Sedgwick County. 4-H stands for Head, Heart, Hands, Health. Today, they are state champions. They recently took first place in a state-wide competition and are now qualified to compete at the Daisy National BB Gun Championship Shooting Match in Rogers, AR, June 28-30, 2013. Daisy Outdoor products sponsors this match to teach young people, ages 9 – 14, safety and introduce them to the sport of shooting. To qualify to represent Sedgwick County at this match, shooters put in many hours of practice and attendance at other 4-H matches across the state. Scores from these practice sessions and matches, as well as shooter's age, commitment to the program, and years in the program qualified them to attend.

When it comes to BB Guns, no one in the state is more skilled than these kids. They know their sport. Thanks to their great coaching team made up of Rick Taylor, Sheri Taylor, and Jodi Besthorn, these young people know gun safety and take this sport very seriously.

Competing against 19 other teams at the state shooting match sponsored by the Kansas State Rifle Association and the Jackson/Nemaha Bullmasters 4-H Shooting Program, Sedgwick County 4-H Shooting Sports Gold Team took first place with a team score of 2281 of a possible 2500. Team members were required to shoot 10 bulls-eyes in 4 positions--prone, standing, sitting and kneeling. In addition to shooting, team members took a 50 question test on gun safety and BB gun competition rules. Team member Tessa Simon was one of 7 in the competition to score a perfect 100% on the test.

The Team Members were: Emma Klausmeyer: Ashley Pinkerton: Tessa Simon: Mary Klausmeyer: and Olivia Santiago. Alternate team members were Madison Frye and Derek Journey. Tessa Simon received individual top score for the match as well as 2nd place in prone, 1st place in sitting and 2nd place in kneeling. Mary Klausmeyer placed 4th in standing.

Please congratulate the Sedgwick County 4-H Shooting Sports Gold Team as the Kansas 2013 State BB Gun Champions.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6027—

By Representatives Brunk, Bideau, Boldra, Carpenter, Cassidy, Christmann, Corbet, Couture-Lovelady, Crum, DeGraaf, Dierks, Edmonds, Ewy, Garber, Goico, Hill, Hineman, Hoffman, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelly, Kuether, Lusk, Macheers, Mast, Meigs, Merrick, Pauls, Peck, Phillips, Rothlisberg, Ryckman Jr., Ryckman Sr., Shultz, Siegfried, Sloan, Suellentrop, Sutton, Vickrey, Ward and Whipple

A RESOLUTION recognizing the Boy Scouts of America for the public service it performs through its contributions to the lives of the Nation's boys and young men.

WHEREAS, Scouting is the largest voluntary youth movement in the world, with a membership totaling more than 25 million; and

WHEREAS, The Boy Scouts of America is an organization that was incorporated on February 8, 1910, and recognized by Federal charter on June 15, 1916, to provide an educational program for boys and young men to build strong moral character, train in the responsibilities of participatory citizenship, and develop personal fitness; and

WHEREAS, The Boy Scouts of America teaches the core values of duty to God and country, personal honor, respect for the beliefs of others, volunteerism and interdependence with the environment, principles which are conducive to good character, citizenship, and health; and

WHEREAS, Since 1910, more than 111,000,000 people have been members of the Boy Scouts of America; and

WHEREAS, The Boy Scouts of America is a model for inclusiveness, with millions of boys and young men from every ethnic, religious, and economic background, including those with disabilities and special needs, participating in scouting programs across the United States; and

WHEREAS, Each local Boy Scout Council commits each Boy Scout to perform 12 hours of community service yearly, for a total of 30,000,000 community service hours each year; and

WHEREAS, More than 1,000,000 adult volunteer leaders selflessly serve young people in their communities through organizations chartered by the Boy Scouts of America; and

WHEREAS, The Supreme Court has ruled that the Boy Scouts of America, as a private, voluntary, non-business organization, has the right to set its own standards for membership and leadership; and

WHEREAS, The Boy Scouts of America have always affirmed faith in God as foundational and essential to its purpose and mission, animated by Lord Baden-Powell's insight that, "God has given us ... the great Book of Nature to read; and (no one can) say that there is untruth there – the facts stand before them"; and

WHEREAS, The Boy Scouts of America enjoys a sustained record of proven success in producing leaders for our nation who are trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Boy Scouts of America and express appreciation for the public service it performs through its contributions to the lives of the Nation's boys and young men; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide an enrolled copy of this resolution to each of the Boy Scout Councils of Kansas and the National Headquarters of the Boy Scouts of America.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Sutton, **HR 6028**, by Rep. Sutton, as follows was introduced and adopted:

HOUSE RESOLUTION No. **HR 6028**—

A RESOLUTION designating April as "Autism Awareness Month."

WHEREAS, Autism is a neurological and pervasive brain developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, A child is diagnosed with autism every 20 minutes; and

WHEREAS, Autism is the third most common developmental disability, affecting more than 1 out of every 50 children and an estimated 8,400 individuals with autism under the age of 19 in the state of Kansas; and

WHEREAS, Autism is a lifelong condition creating an enormous economic impact, with the cost nationally of caring for persons affected by autism over their lifetimes estimated at \$3.2 million per person; and

WHEREAS, Autism is a complex disability that requires greater recognition and understanding to ensure that individuals with autism living in Kansas and all other Americans with autism are accurately diagnosed and appropriately educated and treated throughout their lives; and

WHEREAS, The aims for April as Autism Awareness Month are to inform the general public about the local, national, and global health crisis of autism, stress the importance of early diagnosis and early intervention, and to celebrate the unique talents and qualities of individuals with autism: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate April as "Autism Awareness Month" in support of increasing awareness of this challenging disability and adequate funding for research and services of those in need.

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative Sutton.

Rep. Sutton introduced Jennifer and Corinne Smith of Gardner to the members of the House.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Ryckman Sr., **HR 6021**, A RESOLUTION designating the month of April as "Parkinson's Awareness Month," was adopted.

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

Thank you for reading the Resolution on Parkinson Disease making April Parkinson Awareness Month in Kansas.

On your desk are three handouts on Parkinson's and a pen.

Parkinson's disease (PD) is caused by the deterioration of neurons in the brain that produce dopamine, an essential neurotransmitter that controls smooth, coordinated muscle function. When approximately 60-80% of dopamine-producing cells are damaged, motor symptoms of PD appear.

As many as 1 million Americans have Parkinson's and there is no cure for PD, but there are medications, therapies and surgical treatment options. No standard treatment for PD applies to every patient.

Today with me on the floor are:

Angela Lawrence, executive director of the National Parkinson's Foundation Heartland chapter.

Lisa Reser from Ellinwood, Kansas, a third grade teacher suffering from Parkinson's.

J. Basil Dannebohm, my friend, a writer and philanthropist from Meade Kansas who has Parkinson's.

Also if we have anyone on the floor or in the balcony who has the disease or has a loved one with this disease please stand to show support for a cure of PD.

Will all of you join me in giving encouragement to these three, others and their loved ones who have this disease?

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Whipple, **HR 6025**, A RESOLUTION congratulating the Wichita South High School women's basketball team on its class 6A state championship, was adopted.

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

Members of the body, colleagues, and friends, I would like to introduce the Wichita South High School women's basketball team, the Lady Titans. This team has won the Greater Wichita Athletic League Championship, the Pratt Tournament of Champions, and the Class 6A Girls State Championship.

I'd like to tell you a little about South High School, the only high school in my district. South High students are leaders in our community. Many serve on the Mayor's Youth Council, the Superintendent's Student Advisory Team called "Super SAC" and "Real Teens, Real Heroes," a group which works with middle school students and high school freshmen and sophomores.

South High focuses on academic improvement and preparing students for college or for a career. Last year, seniors at South High generated over \$4.4 million in scholarships. The class of 2012 has 20 students who have received scholarships worth at least \$40,000. Two of the students are Wichita State University Dean's Scholars and one is a Gates Millennium Scholar.

Members of the team are Kendrian Elliott, Rachala Ross, Brionna Ross, Eledria Franklin, Ericka Mattingly, Ashlynd Horton, Princess Alcaraz, Kirea Rogers, Patriece Dodson, Madison Northcutt, Sydni James, and Kiera Broehl.

Team managers are Ogechi Odunze, Dadreona Tramble, Bria Russell, and Felicia Papamie.

Led by the team's coach, Antwain Scales, who is the City League Co-Coach of the Year, Metro Coach of the Year and 6A State Coach of the Year; along with assistant coaches, Heidi Dreiling and Wayne Riddle.

Today we honor the Lady Titans for winning the 2013 Class 6A Women's High School Basketball State Championship for the first time since 1978. Our Lady Titans defeated Wichita Heights High School by a score of 46-44.

We congratulate the Wichita South High School women's basketball team on its class 6A state championship and for all of their accomplishments. These young women have worked hard throughout the season, and this state title is a testament to that hard work. We are honored to have you here to share in this accomplishment, and we look forward

to your future successes.

Rep. Whipple presented the team with a framed House certificate.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House nonconcurred in Senate amendments to **Sub HB 2024** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. Siegfried, the House nonconcurred in Senate amendments to **HB 2033** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as conferees on the part of the House.

On motion of Rep. Siegfried, the House nonconcurred in Senate amendments to **S Sub for HB 2052** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as conferees on the part of the House.

On motion of Rep. Kleeb, the House nonconcurred in Senate amendments to **Sub HB 2105** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. Rubin, the House concurred in Senate amendments to **HB 2170**, AN ACT concerning crimes, criminal procedure and punishment; relating to probation and postrelease supervision; relating to sentencing; amending K.S.A. 2012 Supp. 21-6604, 21-6606, 21-6608, 21-6821, 22-3716, 22-3717, 74-9101 and 75-5217 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-6604a and 21-6604b.

On roll call, the vote was: Yeas 75; Nays 44; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Barker, Becker, Bideau, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Claeys, Crum, DeGraaf, Dierks, Doll, Edwards, Esau, Finch, Finney, Gandhi, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Merrick, Montgomery, Moxley, O'Brien, Pauls, Petty, Phillips, Powell, Proehl, Read, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Siegfried, Sloan, Sloop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Boldra, Bollier, Burroughs, Carlin, Carpenter, Clayton, Concannon, Corbet, Davis, Dillmore, Dove, Edmonds, Ewy, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meigs, Menghini, Peck, Perry, Rhoades, Rooker, Ruiz, Schroeder, Schwab, Schwartz, Shultz, Suellentrop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Christmann, Garber, Huebert, Osterman, Peterson, Seiwert.

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Henry as a member of the conference committee on **S Sub for HB 2143** to replace Rep. Ballard.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz, the House nonconcurrred in Senate amendments to **S Sub for Sub HB 2051** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Pauls, the House nonconcurrred in Senate amendments to **HB 2115** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as conferees on the part of the House.

On motion of Rep. Cassidy, the House nonconcurrred in Senate amendments to **S Sub for HB 2140** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Cassidy, Grosserode and Winn as conferees on the part of the House.

On motion of Rep. Seiwert, the House nonconcurrred in Senate amendments to **HB 2201** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Seiwert, Garber and Kuether as conferees on the part of the House.

On motion of Rep. Schwartz, the House concurred in Senate amendments to **Sub HB 2207**, AN ACT concerning public health; relating to confined feeding facilities; registration; amending K.S.A. 2012 Supp. 65-171d and repealing the existing section.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop,

Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Christmann, Hermanson, Huebert, Kelley, Osterman, Peterson.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2234** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman Sr. and Perry as conferees on the part of the House.

On motion of Rep. Cassidy, the House nonconcurred in Senate amendments to **HB 2261** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kelley, Cassidy and Trimmer as conferees on the part of the House.

On motion of Rep. Peck, the House nonconcurred in Senate amendments to **HB 2303** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Peck, Hildabrand and Grant as conferees on the part of the House.

On motion of Rep. Cassidy, the House nonconcurred in Senate amendments to **HB 2349** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kelley, Cassidy and Trimmer as conferees on the part of the House.

On motion of Rep. Schwartz, the House nonconcurred in Senate amendments to **HB 2363** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **S Sub for HB 2034** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **HB 2218** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Kinzer, Bruchman and Pauls as members of the conference committee on **SB 63** to replace Reps. Schwab, Huebert and Sawyer.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, April 2, 2013.

Journal of the House

FIFTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, April 2, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 124 members present.

Rep. Osterman was excused on verified illness.

Reps. Houston and Peterson were excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dan Galchutt, pastor, Calvary Lutheran Church, Topeka, and guest of Rep. Powell:

God, in Romans 13:4, teaches that the Government is the servant of God for the good of its people. I share this because people say that I do the Lord's work, but in another way you are doing the Lord's work. That is why churches all over Kansas, including mine, pray for you all and for the work you do. With that, let us pray for our nation and state, for all of you and the work God has put before you today:

Almighty God, help us to remember Your gifts and generosity that we might seek to do Your will. Bless our land with responsible citizens, honest industry, and truthful education. Save us from violence, discord, and from pride and arrogance. Grant that we who came from many nations may be a united people. Support us in defending our liberties, and give us peace and justice in our land. For those who serve in the government we ask that you would bless them with the spirit of wisdom, especially, we ask this for this assembly today. Lord, when times are prosperous, may our hearts be thankful, and in troubled times do not let our trust in You fail. We pray through Jesus Christ, the Lord. Amen.

God's blessing to you all in your work today.

The Pledge of Allegiance was led by Rep. Barker.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Seiwert and Thimesch are spread upon the Journal:

Remarks of Rep. Seiwert:

Today I am pleased to recognize Principal, Bob Lyall, and students from St Patrick Catholic School from Kingman. St Patrick Catholic School received the Governor's Achievement Award, the 2011-2012 academic year, from the Kansas State Board of Education for receiving Building Level Standards of Excellence in both reading and math, meeting AYP requirements, and being in the top 5% of Middle/Junior High Schools. This award recognizes the outstanding students, facility, and administration of such an exemplary institution. This is the fifth consecutive year for which they have received this honor. I am proud to have them in my 101st district.

Please join me in congratulating Principal, Bob Lyall, Pastor, Father Benjamin Shockey, Lead Teacher, Ann Vaughn and the students which are here today to represent their school. Macey Maloney, Audrey Birkenbaugh, Gage Oller, and Daniel Bergkamp.

Remarks of Rep. Thimesch:

It is an honor for me to present St. Patrick's school with this certificate for Banner School. In order to receive this award that is given by the Wichita Catholic Diocese, a school must: Exemplify core values which include unity, faithfulness, stewardship, and scholarship. They must have exemplary scores in the Kansas Assessment, in reading, math, social studies, and science and the diocesan religion assessment test scores. All teachers must have current state licenses and current diocesan religion certificates.

The enrollment must be steady or increasing. And they must collectively work with public schools and other diocesan schools in pursuing excellence in all areas. And I am proud to have a school in my district, the 114th, that not only won this award but has done it for three consecutive years, which is rare. St. Patrick's is one of 39 schools, totaling 10,671 students in the Wichita diocese.

Congratulations St. Patrick's School of Kingman!

Rep. Thimesch introduced those present and presented a framed House certificate for the Banner School Award. Rep. Seiwert presented a framed House certificate which honored them with the Governor's Achievement Award for 2011-2012.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 218**.

MESSAGE FROM THE GOVERNOR

S Sub for HB 2022; HB 2176, HB 2252 approved on April 1, 2013.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kelley, the House nonconcurrent in Senate amendments to **HB 2319** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kelley, Cassidy and Trimmer as conferees on the part of the House.

On motion of Rep. Johnson, the House nonconcurrent in Senate amendments to **HB 2213** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Johnson, Howell and Wolfe Moore as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **House Substitute for SB 167** be passed.

BILLS STRICKEN FROM THE CALENDAR

Speaker Merrick announced the following bills are stricken from the Calendar:

SB 26, SB 41, SB 49, SB 61; H Sub for SB 64; SB 73, SB 92, SB 100, SB 163, SB 177.

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

Today I have the privilege of welcoming a new citizen to Kansas. At 5:10 am this morning, my third grandchild and my first granddaughter, Katelyn Mae Esau, was born. Katelyn came into this world weighing 10 pounds and 1 ounce and was 18 inches long. The proud parents, Rachael May and Philip Benjamin Esau are doing fine and big brother Isaac is very happy to have a new sister.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Sub HB 2024** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2033** and has appointed Senators Ostmeyer, Emler 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 2034** and has appointed Senators King, Smith 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 2051** and has appointed Senators Powell, Kerschen 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 2052** and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2105** and has appointed Senators Lynn, Wagle and Holland as conferees on the part of the

Senate.

The Senate accedes to the request of the House for a conference on **HB 2115** and has appointed Senators King, Smith 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 2140** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2201** and has appointed Senators Apple, Knox and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2218** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2234** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2261** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2303** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2349** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2363** and has appointed Senators Powell, Kerschen and Francisco as conferees on the part of the Senate.

Also, announcing passage of **HB 2060**, as amended; **HB 2253**, as amended.

The Senate concurs in House amendments to **SB 16**, and requests return of the bill.

The Senate concurs in House amendments to **SB 81**, and requests return of the bill.

The Senate concurs in House amendments to **SB 111**, and requests return of the bill.

The Senate concurs in House amendments to **SB 136**, and requests return of the bill.

The Senate concurs in House amendments to **SB 149**, and requests return of the bill.

The President announced the appointment of Senator Hawk as a member of the conference committee on **HB 2033** to replace Senator Holland.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Proehl, the House concurred in Senate amendments to **S Sub for HB 2011**, AN ACT concerning distinctive license plates; making educational institution plates available to motorcycles; transferability of license plates; amending K.S.A. 2012 Supp. 8-1,142 and repealing the existing section.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kueher, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Powell, Proehl,

Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carpenter, Esau, Kinzer, Peck.

Present but not voting: None.

Absent or not voting: Houston, Osterman, Peterson.

On motion of Rep. Carlson, the House nonconcurrred in Senate amendments to **HB 2060** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Carlson, Schwab and Sawyer as conferees on the part of the House.

On motion of Rep. Siegfroid, the House nonconcurrred in Senate amendments to **HB 2253** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Siegfroid, Brunk and Ruiz as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Reps. Siegfroid, Brunk and Ruiz as members of the conference committee on **SB 102** to replace Reps. DeGraaf, Howell and Lane.

REPORT ON ENGROSSED BILLS

Sub HB 2207 reported correctly engrossed April 1, 2013.

Also, **HB 2170** reported correctly re-engrossed April 1, 2013.

REPORT ON ENROLLED BILLS

HB 2028, HB 2156, HB 2163, HB 2169, HB 2181, HB 2203, HB 2205, HB 2269, HB 2318, HB 2357 reported correctly enrolled, properly signed and presented to the Governor on April 2, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, April 3, 2013.

Journal of the House

FIFTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, April 3, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Rep. Osterman was excused on verified illness.

Reps. Brunk, Hermanson, Houston, Peterson and Thimesch were excused on excused absence by the Speaker.

Present later: Rep. Brunk.

Prayer by Chaplain Brubaker:

Most gracious God,

Today as I lift these leaders to you in prayer, I pray some of Your proverbs for them to consider:

“A gentle response defuses anger, but a sharp tongue kindles a temper-fire.”

Help them not to get angry with one another.

“Refuse good advice and watch your plans fail; take good counsel and watch them succeed.”

Help them to listen to wise counsel.

“We humans keep brainstorming options and plans, but God’s purpose prevails.”

Help them to seek Your will and purpose in all things.

And, Lord, what about those Shockers! I know they say you don’t really care about basketball games – but you do care about the individuals who play. So I ask that you protect them – keep them in good health – help them play their best – and perhaps you can help them pull the upset – all for your glory, of course!

These things I pray today in Christ’s Name, Amen.

(All Scripture taken from *The Message* – Proverbs 11:9; 14:14; 15:1, 22; 19:21)

The Pledge of Allegiance was led by Rep. Bridges.

INTRODUCTION OF GUESTS

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

Burlington Lady Cats are the 2013 Kansas High School Class 3A State Champions. In the championship tournament game held in Hutchinson, they defeated Garden Plain 52-42. The team finished the 2013 season undefeated, 26-0.

Their coach, Doug Stewart, was named 2013 Class 3A Coach of the Year. Assistant coach is David Gilman. Both coaches had senior daughters on the team. Other assistant coaches are Bart Kuhlmann and Erin McGown.

Madison Stewart (daughter of the coach) was named to the All State 3A first team. Honorable mention selections included Haley Gilman, Breanna Bluma, Sarah Pearson, and Jacquelyn O'Connor. Tri-Valley Girls All-League team honors selections were Madison Stewart, Breanna Bluma, Sarah Pearson, Haley Gilman, and Jacquelyn O'Connor.

The team members are Haley Gilman, Sarah Pearson, Breanna Bluma, Jacquelyn O'Connor, Madison Stewart, Sydney Ledom, Madison Stadel, Alexa Dorcas, Malorie Wagner, Bailee Norton, Shelbi Emling, Mckayla Cole, and Summer Kirchner. Head coach is Doug Stewart and Assistant Coach's are Bart Kuhlmann, David Gilman and Erin McGown.

Rep. Mast presented the team with a framed House certificate.

MESSAGES FROM THE GOVERNOR

HB 2007, HB 2030, HB 2041, HB 2096, HB 2138, HB 2147, HB 2177, HB 2202, HB 2305 approved on April 2, 2013.

MESSAGE FROM THE SENATE

Announcing passage of **HB 2069**, as amended.

Announcing rejection of **S Sub for HB 2055**.

The Senate concurs in House amendments to **SB 27**, and requests return of the bill.

The Senate concurs in House amendments to **SB 56**, and requests return of the bill.

The Senate concurs in House amendments to **SB 120**, and requests return of the bill.

The Senate concurs in House amendments to **SB 128**, and requests return of the bill.

The Senate accedes to the request of the House for a conference on **HB 2060** and has appointed Senators Donovan, Tyson and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2213** and has appointed Senators King, Masterson and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2253** and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2319** and has appointed Senators Abrams, Arpke and Hensley as conferees on the part of the Senate.

The President announced the appointment of Senator Hawk as a member of the conference committee on **HB 2052** to replace Senator Faust-Goudeau.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Goico, **HR 6024**, A RESOLUTION recognizing Mark and Louise Allen for their instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas, was adopted.

There being no objection, the following remarks of Rep. Goico are spread upon the journal:

I would like to recognize Mark and Louise Allen for their instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas.

Dr. James Naismith was the inventor of the sport of basketball and was a legendary member of the University of Kansas basketball community. He wrote the original 13 rules of basketball in 1891. Those rules were preserved throughout the years by the Naismith International Basketball Foundation. In 2010, those original documents became available for auction at Sotheby's in New York.

Mark Allen, the grandson of KU legendary basketball coach Phog Allen, and his wife, Louise, thought the original rules deserved to be back where basketball began, the University of Kansas.

Mark did a lot of research to ensure that the documents were authentic and coordinated with David Booth to purchase these rules for \$4.3 million. This a new record price for the purchase of sports memorabilia.

The University of Kansas plans to build a new building near the current Allen Fieldhouse to house Naismith's rules. There they will be on display for all Kansans to visit.

This coming weekend when you are watching Wichita State play in the NCAA Final Four, remember that the inception and the roots of basketball are here in Kansas. These rules are one of the legacies of Kansas to the World.

The House of Representatives want to thank Mark and Louise for their work to bring this piece of history back home to where it belongs – Kansas. They made what seemed an impossible dream a reality.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer, the House concurred in Senate amendments to **HB 2128**, AN ACT concerning the open records act, exceptions; amending K.S.A. 2012 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs,

Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brunk, Hermanson, Houston, Osterman, Peterson, Thimesch.

CONFERENCE COMMITTEE REPORT

MADAM 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 as House Substitute for SENATE BILL No. 83, as follows:

On page 20, following line 35, by inserting:

"New Sec. 8. (a) The following described property, to the extent herein specified, shall be exempt from all property taxes levied under the laws of Kansas:

Any new automobile manufacturing property.

(b) The provisions of subsection (a) shall apply from and after the later of the purchase or commencement of construction of such property and continue only for a period thereafter until 10 calendar years following the calendar year in which construction of such property is completed.

(c) The provisions of this section shall apply to all taxable years beginning after December 31, 2011.

(d) The owner of any new automobile manufacturing property shall pay in lieu of taxes in an amount mutually agreed to by the governing body of the appropriate taxing subdivisions and the owners as long as this exemption is in effect. The in lieu of taxes shall be paid at the same time taxes are required to be paid pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto. The county treasurer shall apportion such in lieu of tax payments among the taxing subdivisions of this state in the territory in which the facility is located. Any payment in lieu of taxes shall be divided by the county treasurer among such taxing subdivisions in the same proportion that the amount of the total mill levy of each individual taxing subdivision bears to the aggregate of such levies of all the taxing subdivisions among which the division is to be made. 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. Based upon the assessed valuation which such facility would have if it were upon the tax rolls of the county, the county clerk shall compute the total of the property taxes which would be levied upon such facility by all taxing subdivisions within which the facility is located if such property were taxable.

(e) As used in this section:

(1) "Appropriate taxing subdivisions" means the county, city or unified government jurisdiction in which the new automobile property is located; and

(2) "new automobile manufacturing property" means any real property purchased or constructed after December 31, 2011, owned by a business with an NAICS code of 336111, provided such property:

(A) Includes a building or addition to a building constructed after December 31, 2011, having not less than 50,000 square feet of floorspace; and

(B) was purchased or constructed after December 31, 2011, for a total cost of not less than \$10,000,000 including the cost of both the land and buildings.

New Sec. 9. (a) On and after July 1, 2013, if any person sells or leases tangible personal property to the state, a state department, a state agency or an agent thereof, that person and any affiliated person shall, as a prerequisite for any such sale or lease, register with the department of revenue as a retailer and comply with all legal requirements imposed on a retailer, including the requirement to collect and remit sales or use tax on all taxable sales of tangible personal property to customers in this state.

(b) Any ruling, agreement or contract, whether written or oral, express or implied, between a retailer and this state's executive branch, or any other state agency or department, stating, agreeing or ruling that the retailer is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center or fulfillment center in the state that is owned or operated by the retailer or an affiliated person of the retailer shall be null and void, unless it is specifically approved by a majority vote of each of the chambers of the Kansas legislature.

(c) As used in this section, "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in section 1563(a) of the federal internal revenue code as the retailer or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the retailer as a corporation that is a member of the same "controlled group of corporations" as defined in section 1563(a) of the federal internal revenue code.

New Sec. 10. (a) On and after July 1, 2013, watercraft shall be appraised at fair market value determined therefor pursuant to K.S.A. 79-503a, and amendments thereto, and assessed at the percentage of value as follows: (1) 11.5% in tax year 2014; and (2) 5% in tax year 2015 and all tax years thereafter. In no case shall the assessed value of any watercraft, as determined under the provisions of this section, cause the tax upon such watercraft to be less than \$12.

(b) As used in this section, "watercraft" means any vessel requiring numbering pursuant to K.S.A. 32-1110, and amendments thereto. Each watercraft may include one trailer which is designed to launch, retrieve, transport and store such watercraft and any nonelectric motor or motors which are necessary to operate such watercraft on the water.

Sec. 11. On July 1, 2013, K.S.A. 2012 Supp. 74-2433f is hereby amended to read as follows: 74-2433f. (a) There shall be a division of the state court of tax appeals known as the small claims and expedited hearings division. Hearing officers appointed by the chief hearing officer shall have authority to hear and decide cases heard in the small claims and expedited hearings division.

(b) The small claims and expedited hearings division shall have jurisdiction over hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, and hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas Statutes Annotated, and ~~acts amendatory thereof or supplemental amendments~~ thereto, with regard to single-family residential property. The filing of an appeal with the small claims and expedited hearings division shall be a prerequisite for filing an appeal with the state court of tax

appeals for appeals involving single-family residential property.

(c) At the election of the taxpayer, the small claims and expedited hearings division shall have jurisdiction over: (1) Any appeal of a decision, finding, order or ruling of the director of taxation, except an appeal, finding, order or ruling relating to an assessment issued pursuant to K.S.A. 79-5201 et seq., and amendments thereto, in which the amount of tax in controversy does not exceed \$15,000; (2) hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, where the value of the property, other than property devoted to agricultural use, is less than \$2,000,000 as reflected on the valuation notice; and (3) hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas Statutes Annotated, and ~~acts amendatory thereof or supplemental~~ amendments thereto, other than those relating to land devoted to agricultural use, wherein the value of the property is less than \$2,000,000 as reflected on the valuation notice.

(d) In accordance with the provisions of K.S.A. 74-2438, and amendments thereto, any party may elect to appeal any application or decision referenced in subsection (b) to the state court of tax appeals. Except as provided in subsection (b) regarding single-family residential property, the filing of an appeal with the small claims and expedited hearings division shall not be a prerequisite for filing an appeal with the state court of tax appeals under this section. Final decisions of the small claims and expedited hearings division may be appealed to the state court of tax appeals. An appeal of a decision of the small claims and expedited hearings division to the state court of tax appeals shall be de novo.

(e) A taxpayer shall commence a proceeding in the small claims and expedited hearings division by filing a notice of appeal in the form prescribed by the rules of the state court of tax appeals which shall state the nature of the taxpayer's claim. Notice of appeal shall be provided to the appropriate unit of government named in the notice of appeal by the taxpayer. In any valuation appeal or tax protest commenced pursuant to articles 14 and 20 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, the hearing shall be conducted in the county where the property is located or a county adjacent thereto. In any appeal from a final determination by the secretary of revenue, the hearing shall be conducted in the county in which the taxpayer resides or a county adjacent thereto.

(f) The hearing in the small claims and expedited hearings division shall be informal. The hearing officer may hear any testimony and receive any evidence the hearing officer deems necessary or desirable for a just determination of the case. A hearing officer shall have the authority to administer oaths in all matters before the hearing officer. All testimony shall be given under oath. A party may appear personally or may be represented by an attorney, a certified public accountant, a certified general appraiser, a tax representative or agent, a member of the taxpayer's immediate family or an authorized employee of the taxpayer. A county or unified government may be represented by the county appraiser, designee of the county appraiser, county attorney or counselor or other representatives so designated. No transcript of the proceedings shall be kept.

(g) The hearing in the small claims and expedited hearings division shall be conducted within 60 days after the appeal is filed in the small claims and expedited hearings division unless such time period is waived by the taxpayer. A decision shall be

rendered by the hearing officer within 30 days after the hearing is concluded and, in cases arising from appeals described by subsections (b) and (c)(2) and (3), shall be accompanied by a written explanation of the reasoning upon which such decision is based. Documents provided by a taxpayer or county or district appraiser shall be returned to the taxpayer or the county or district appraiser by the hearing officer and shall not become a part of the court's permanent records. Documents provided to the hearing officer shall be confidential and may not be disclosed, except as otherwise specifically provided.

(h) With regard to any matter properly submitted to the division relating to the determination of valuation of property for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. With regard to leased commercial and industrial property, the presumption of validity and correctness of such determination shall exist in favor of the county appraiser unless the taxpayer has furnished the county or district appraiser, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, or within 30 calendar days following the informal meeting required by K.S.A. 79-2005, and amendments thereto, a complete income and expense statement for the property for the three years next preceding the year of appeal.

Sec. 12. On July 1, 2013, K.S.A. 2012 Supp. 79-306e is hereby amended to read as follows: 79-306e. (a) The value for property tax purposes of any ~~vessel watercraft~~, as defined by ~~K.S.A. 32-1102 section 10~~, and amendments thereto, which is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to ~~K.S.A. 79-503a section 10~~, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction the numerator of which is the number of months, or major portion thereof, such ~~vessel watercraft~~ was owned by the record owner thereof during the taxable year in which such ~~vessel watercraft~~ was sold, and the denominator of which is 12; and (2) in the case of an acquisition, a fraction the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof, and the denominator of which is 12.

(b) On or after July 1, 2007, notice of the acquisition or sale of any such ~~vessel watercraft~~ shall be provided by the record owner thereof to the appropriate county appraiser on or before December 20 of the year of such acquisition or sale. Upon receipt of such notice, and after computation of the value of any such ~~vessel watercraft~~ in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) ~~Vessels-Watercraft~~ acquired after September 1 of a taxable year shall not be subject to assessment and taxation for such year, except as provided by paragraph (1) of subsection (a).

(d) The provisions of this section shall apply to all taxable years commencing after December 31, ~~2002~~ 2013.

Sec. 13. On July 1, 2013, K.S.A. 2012 Supp. 79-1448 is hereby amended to read as follows: 79-1448. Any taxpayer may complain or appeal to the county appraiser from the classification or appraisal of the taxpayer's property by giving notice to the county appraiser within 30 days subsequent to the date of mailing of the valuation notice

required by K.S.A. 79-1460, and amendments thereto, for real property, and on or before May 15 for personal property. The county appraiser or the appraiser's designee shall arrange to hold an informal meeting with the aggrieved taxpayer with reference to the property in question. At such meeting it shall be the duty of the county appraiser or the county appraiser's designee to initiate production of evidence to substantiate the valuation of such property, including the affording to the taxpayer of the opportunity to review the data sheet of comparable sales utilized in the determination of such valuation. In any appeal from the appraisal of leased commercial and industrial property, the county or district appraiser's appraised value shall be presumed to be valid and correct and may only be rebutted by a preponderance of the evidence, unless the property owner furnishes the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal within 30 calendar days following the informal meeting. The county appraiser may extend the time in which the taxpayer may informally appeal from the classification or appraisal of the taxpayer's property for just and adequate reasons. Except as provided in K.S.A. 79-1404, and amendments thereto, no informal meeting regarding real property shall be scheduled to take place after May 15, nor shall a final determination be given by the appraiser after May 20. Any final determination shall be accompanied by a written explanation of the reasoning upon which such determination is based when such determination is not in favor of the taxpayer. Any taxpayer who is aggrieved by the final determination of the county appraiser may appeal to the hearing officer or panel appointed pursuant to K.S.A. 79-1611, and amendments thereto, and such hearing officer, or panel, for just cause shown and recorded, is authorized to change the classification or valuation of specific tracts or individual items of real or personal property in the same manner provided for in K.S.A. 79-1606, and amendments thereto. In lieu of appealing to a hearing officer or panel appointed pursuant to K.S.A. 79-1611, and amendments thereto, any taxpayer aggrieved by the final determination of the county appraiser, except with regard to land devoted to agricultural use, wherein the value of the property, is less than \$2,000,000, as reflected on the valuation notice, or the property constitutes single family residential property, may appeal to the small claims and expedited hearings division of the state court of tax appeals within the time period prescribed by K.S.A. 79-1606, and amendments thereto. Any taxpayer who is aggrieved by the final determination of a hearing officer or panel may appeal to the state court of tax appeals as provided in K.S.A. 79-1609, and amendments thereto. An informal meeting with the county appraiser or the appraiser's designee shall be a condition precedent to an appeal to the county or district hearing panel.

Sec. 14. On July 1, 2013, K.S.A. 2012 Supp. 79-1609 is hereby amended to read as follows: 79-1609. Any person aggrieved by any order of the hearing officer or panel may appeal to the state court of tax appeals by filing a written notice of appeal, on forms approved by the state court of tax appeals and provided by the county clerk for such purpose, stating the grounds thereof and a description of any comparable property or properties and the appraisal thereof upon which they rely as evidence of inequality of the appraisal of their property, if that be a ground of the appeal, with the state court of tax appeals and by filing a copy thereof with the county clerk within 30 days after the date of the order from which the appeal is taken. A county or district appraiser may appeal to the state court of tax appeals from any order of the hearing officer or panel. With regard to any matter properly submitted to the court relating to the determination

of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination ~~except that no such duty shall accrue with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination.~~ With regard to leased commercial and industrial property, the presumption of validity and correctness of such determination shall exist in favor of the county or district appraiser unless, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, the taxpayer furnished to the county or district appraiser complete income and expense statements for the property for the three years next preceding the year of appeal.

Sec. 15. On July 1, 2013, K.S.A. 2012 Supp. 79-1701a is hereby amended to read as follows: 79-1701a. Any taxpayer, the county appraiser or the county clerk shall, on their own motion, request the board of county commissioners to order the correction of the clerical errors in the appraisal, assessment or tax rolls as described in K.S.A. 79-1701, and amendments thereto. The board of county commissioners of the several counties are hereby authorized to order the correction of clerical errors, specified in K.S.A. 79-1701, and amendments thereto, in the appraisal, assessment or tax rolls for the current year and the immediately preceding two years during the period on and after November 1 of each year. If a county treasurer has collected and distributed the property taxes of a taxpayer and it shall thereafter be determined that the tax computed and paid was based on an erroneous assessment due to a clerical error which resulted in an overpayment of taxes by the taxpayer, and such error is corrected under the provisions hereof then the county commissioners may direct a refund in the amount of the overpayment plus interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, per annum, from the date of payment from tax moneys collected during the current year and approve a claim therefor. If all or any portion of the taxes on such property remain unpaid, the board of county commissioners shall cancel that portion of such unpaid taxes which were assessed on the basis of the error which is being corrected. In lieu of taking such a refund the taxpayer may, at the taxpayer's option, be allowed a credit on the current year's taxes in the amount of the overpayment plus interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, from the date of payment for the previous year. In the event the error results in an understatement of value or taxes as a result of ~~a mathematical miscalculation on the part of the county,~~ the correction of the clerical errors listed in subsection (a), (c), (f) or (g) of K.S.A. 79-1701, and amendments thereto, and the board of county commissioners of the several counties are hereby authorized to correct such error and order an additional assessment or tax bill, or both, to be issued, except that, in no such case shall the taxpayer be assessed interest or penalties on any tax which may be assessed. If such error applies to property which has been sold or otherwise transferred subsequent to the time the error was made, no such additional assessment or tax bill shall be issued.

Sec. 16. On July 1, 2013, K.S.A. 2012 Supp. 79-1702 is hereby amended to read as follows: 79-1702. If any taxpayer, municipality or taxing district shall have a grievance

described under the provisions of K.S.A. 79-1701 or 79-1701a, and amendments thereto, which is not remediable thereunder solely because not reported within the time prescribed therein, or which was remediable thereunder and reported to the proper official or officials within the time prescribed but which has not been remedied by such official or officials, such grievance may be presented to the state court of tax appeals and if it shall be satisfied from competent evidence produced that there is a real grievance, it may direct that the same be remedied either by canceling the tax, if uncollected, together with all penalties charged thereon, or if the tax has been paid, by ordering a refund of the amount found to have been unlawfully charged and collected and interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points.

In all cases where the identical property owned by any taxpayer has been assessed for the current tax year in more than one county in the state, the court is hereby given authority to determine which county is entitled to the assessment of the property and to charge legal taxes thereon, and if the taxes have been paid in a county not entitled thereto, the court is hereby empowered to direct the authorities of the county which has so unlawfully collected the taxes to refund the same to the taxpayer with all penalties charged thereon.

No tax grievance shall be considered by the state court of tax appeals unless the same is filed within four years from the date the tax would have become a lien on real estate.

In all cases where an error results in an understatement of values or taxes as a result of ~~a mathematical miscalculation on the part of a county~~ the correction of the clerical errors listed in subsection (a), (c), (f) or (g) of K.S.A. 79-1701, and amendments thereto, the state court of tax appeals, if it shall be satisfied from competent evidence produced that there is an understatement as a result of a clerical error, may order an additional assessment or tax bill, or both, to be issued so that the proper value of the property in question is reflected, except that, in no such case shall the taxpayer be assessed interest or penalties on any tax which may be assessed. No increase shall be ordered to correct such error that extends back more than two years from the date of the most recent tax year. If such error applies to property which has been sold or otherwise transferred subsequent to the time the error was made, no such additional assessment or tax bill shall be issued.

Errors committed in the valuation and assessment process that are not specifically described in K.S.A. 79-1701, and amendments thereto, shall be remediable only under the provisions of K.S.A. 79-2005, and amendments thereto.

Sec. 17. On July 1, 2013, K.S.A. 2012 Supp. 79-2005 is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes paid in whole or in part in an amount equal to at least $\frac{1}{2}$ of such taxes on or before December 20 by an escrow or tax service agent, no later than January 31 of the next year, to file a written statement with the county treasurer, on forms approved by the state court of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. When the grounds of such protest is an assessment of taxes made pursuant to K.S.A. 79-332a and 79-1427a, and amendments thereto, the county treasurer may not

distribute the taxes paid under protest until such time as the appeal is final. When the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the county treasurer shall forward a copy of the written statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule an informal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within 15 business days thereof, notify the taxpayer in the event the valuation of the taxpayer's property is changed, in writing of the results of the meeting. In the event the valuation of the taxpayer's property is changed and such change requires a refund of taxes and interest thereon, the county treasurer shall process the refund in the manner provided by subsection (l).

(b) No protest appealing the valuation or assessment of property shall be filed pertaining to any year's valuation or assessment when an appeal of such valuation or assessment was commenced pursuant to K.S.A. 79-1448, and amendments thereto, nor shall the second half payment of taxes be protested when the first half payment of taxes has been protested. Notwithstanding the foregoing, this provision shall not prevent any subsequent owner from protesting taxes levied for the year in which such property was acquired, nor shall it prevent any taxpayer from protesting taxes when the valuation or assessment of such taxpayer's property has been changed pursuant to an order of the director of property valuation.

(c) A protest shall not be necessary to protect the right to a refund of taxes in the event a refund is required because the final resolution of an appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto, occurs after the final date prescribed for the protest of taxes.

(d) If the grounds of such protest shall be that the valuation or assessment of the property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(e) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(f) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such written statement of protest to the state court of tax appeals and the governing body of the taxing district making the levy being protested.

(g) Within 30 days after notification of the results of the informal meeting with the county appraiser pursuant to subsection (a), the protesting taxpayer may, if aggrieved by the results of the informal meeting with the county appraiser, appeal such results to the state court of tax appeals.

(h) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the informal meeting with the county appraiser in cases where the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the court shall conduct a

hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the court shall notify the county appraiser thereof.

(i) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the court. With regard to any matter properly submitted to the court relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination except that no such duty shall accrue to the county or district appraiser with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. In all instances where the court sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor.

(j) When a determination is made as to the merits of the tax protest, the court shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(k) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the court within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(l) (1) In the event the court orders that a refund be made pursuant to this section or the provisions of K.S.A. 79-1609, and amendments thereto, or a court of competent jurisdiction orders that a refund be made, and no appeal is taken from such order, or in the event a change in valuation which results in a refund pursuant to subsection (a), the county treasurer shall, as soon thereafter as reasonably practicable, refund to the taxpayer such protested taxes and, with respect to protests or appeals commenced after the effective date of this act, interest computed at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points, per annum from the date of payment of such taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes, except that, with respect to that portion of any such refund attributable to interest the county treasurer shall charge the county general fund. In the event that the state court of tax appeals or a court of competent jurisdiction finds that any time delay in making its decision is unreasonable and is attributable to the taxpayer, it may order that no interest or only a portion thereof be added to such refund of taxes.

(2) No interest shall be allowed pursuant to paragraph (1) in any case where the tax paid under protest was inclusive of delinquent taxes.

(m) Whenever, by reason of the refund of taxes previously received or the reduction of taxes levied but not received as a result of decreases in assessed valuation, it will be impossible to pay for imperative functions for the current budget year, the

governing body of the taxing district affected may issue no-fund warrants in the amount necessary. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by such section and may be issued without the approval of the state court of tax appeals. The governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized by law.

(n) Whenever a taxpayer appeals to the court of tax appeals pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, or pays taxes under protest related to one property whereby the assessed valuation of such property exceeds 5% of the total county assessed valuation of all property located within such county and the taxpayer receives a refund of such taxes paid under protest or a refund made pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, the county treasurer or the governing body of any taxing subdivision within a county may request the pooled money investment board to make a loan to such county or taxing subdivision as provided in this section. The pooled money investment board is authorized and directed to loan to such county or taxing subdivision sufficient funds to enable the county or taxing subdivision to refund such taxes to the taxpayer. 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. Each loan shall bear interest at a rate equal to the net earnings rate of the pooled money investment portfolio at the time of the making of such loan. The total aggregate amount of loans under this program shall not exceed \$50,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto. 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 county treasurer or governing body of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the county treasurer or governing body from the state bank account or accounts prescribed in this subsection to the county treasurer who shall deposit such amount in the county treasury. Any such loan authorized pursuant to this subsection shall be repaid within four years. The county or taxing subdivision shall make not more than four equal annual tax levies at the time fixed for the certification of tax levies to the county clerk following the making of such loan sufficient to pay such loan within the time period required under such loan. All such tax levies shall be in addition to all other levies authorized by law.

(o) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(p) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the state court of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the

right to a refund of taxes paid under protest should that owner be successful in that appeal.

Sec. 18. On July 1, 2013, K.S.A. 2012 Supp. 79-3702 is hereby amended to read as follows: 79-3702. For the purposes of this act: (a) "Purchase price" means the consideration paid or given or contracted to be paid or given by any person to the seller of an article of tangible personal property for the article purchased. The term shall include, in addition to the consideration paid or given or contracted to be paid or given, the actual cost of transportation from the place where the article was purchased to the person using the same in this state. If a cash discount is allowed and taken on the sale it shall be deducted in arriving at the purchase price.

(b) The meaning ascribed to words and phrases in K.S.A. 79-3602, and amendments thereto, insofar as is practicable, shall be applicable herein unless otherwise provided. The provisions of K.S.A. 79-3601 to 79-3625, inclusive, 79-3650, K.S.A. 2012 Supp. 79-3693 and 79-3694, and amendments thereto, relating to enforcement, collection and administration, insofar as practicable, shall have full force and effect with respect to taxes imposed under the provisions of this act.

(c) "Use" means the exercise within this state by any person of any right or power over tangible personal property incident to the ownership of that property, except that it shall not include processing, or the sale of the property in the regular course of business, and except storage as hereinafter defined.

(d) "Storage" means any keeping or retaining in this state for any purpose except sale in the regular course of business or subsequent use solely outside this state of tangible personal property purchased from a retailer.

(e) "Storage" and "use" do not include the keeping, retaining or exercising of any right or power over tangible personal property shipped or brought into this state for the purpose of subsequently transporting it outside the state for use thereafter solely outside the state, or for the purpose of being processed, fabricated, or manufactured into, attached to or incorporated into, other tangible personal property to be transported outside the state and thereafter used solely outside the state.

(f) "Property used in processing" means: (1) Any tangible personal property which, when used in fabrication, compounding, manufacturing or germination, becomes an integral part of the new article resulting from such fabrication, compounding, manufacturing, or germination, and intended to be sold ultimately at retail; and (2) fuel which is consumed in creating power, heat, or steam for processing or for generating electric current.

(g) "Retailer" means every person engaged in the business of selling tangible personal property for use within the meaning of this act, except that, when in the opinion of the director it is necessary for the efficient administration of this act to regard any salesperson, representatives, truckers, peddlers or canvassers as the agents of the dealers, distributors, supervisors, employers or persons under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors, employers, or persons, the director may so regard them and may regard the dealers, distributors, supervisors, employers, or persons as retailers for the purposes of this act.

(h) (1) "Retailer doing business in this state" or any like term, means: (A) Any retailer ~~having or~~ maintaining in this state, permanently, temporarily, directly or

indirectly through a subsidiary, agent or representative, an office, distribution house, sales house, warehouse or other place of business;

(B) any retailer ~~having~~ utilizing an employee, independent contractor, agent, representative, salesperson, canvasser ~~or~~ solicitor or other person operating in this state either permanently or temporarily, ~~under the authority of the retailer or its subsidiary,~~ for the purpose of selling, delivering, installing, assembling, servicing, repairing, soliciting sales or the taking of orders for tangible personal property;

(C) any retailer, including a contractor, repair person or other service provider, who enters this state to perform services that are enumerated in K.S.A. 79-3603, and amendments thereto, and who is required to secure a retailer's sales tax registration certificate before performing those services;

(D) any retailer deriving rental receipts from a lease of tangible personal property situated in this state;

(E) ~~any person having a franchisee or licensee operating under its trade name if the franchisee or the licensee is required to collect the tax under the Kansas retailers' sales tax act;~~

(F) ~~any person regularly maintaining a stock of tangible personal property in this state for sale in the normal course of business; and~~

~~(G)~~(E) any retailer who has any other contact with this state that would allow this state to require the retailer to collect and remit tax under the provisions of the constitution and laws of the United States.

(2) A retailer shall be presumed to be doing business in this state if any of the following occur:

(A) ~~Both of the following conditions exist:~~

(i) ~~The retailer holds a substantial ownership interest in, or is owned in whole substantial part by, a retailer maintaining a sales location in Kansas; and~~

(ii) ~~the retailer sells the same or a substantially similar line of products as the related Kansas retailer and does so under the same or a substantially similar business name, or the Kansas facilities or Kansas employees of the related Kansas retailer are used to advertise, promote or facilitate sales by the retailer to consumers.~~

(B) ~~The retailer holds a substantial ownership interest in, or is owned in whole or in substantial part by, a business that maintains a distribution house, sales house, warehouse or similar place of business in Kansas that delivers property sold by the retailer to consumers.~~

(C) ~~For purposes of paragraphs (A) and (B):~~

(i) ~~"Substantial ownership interest" means an interest in an entity that is not less than the degree of ownership of equity interest in an entity that is specified by Section 78p of Title 15 of the United States Code, or any successor to that statute, with respect to a person other than a director or officer; and~~

(ii) ~~"ownership" means and includes both direct ownership, and indirect ownership through a parent, subsidiary or affiliate. Any person, other than a common carrier acting in its capacity as such, that has nexus with the state sufficient to require such person to collect and remit taxes under the provisions of the constitution and laws of the United States if such person were making taxable retail sales of tangible personal property or services in this state:~~

(i) Sells the same or a substantially similar line of products as the retailer and does so under the same or a substantially similar business name;

(ii) maintains a distribution house, sales house, warehouse or similar place of business in Kansas that delivers or facilitates the sale or delivery of property sold by the retailer to consumers;

(iii) uses trademarks, service marks, or trade names in the state that are the same or substantially similar to those used by the retailer;

(iv) delivers, installs, assembles or performs maintenance services for the retailer's customers within the state;

(v) facilitates the retailer's delivery of property to customers in the state by allowing the retailer's customers to pick up property sold by the retailer at an office, distribution facility, warehouse, storage place or similar place of business maintained by the person in the state;

(vi) has a franchisee or licensee operating under its trade name if the franchisee or the licensee is required to collect the tax under the Kansas retailers' sales tax act; or

(vii) conducts any other activities in the state that are significantly associated with the retailer's ability to establish and maintain a market in the state for the retailer's sales.

(B) Any affiliated person conducting activities in this state described in subparagraph (A) or (C) has nexus with this state sufficient to require such person to collect and remit taxes under the provisions of the constitution and laws of the United States if such person were making taxable retail sales of tangible personal property or services in this state.

(C) The retailer enters into an agreement with one or more residents of this state under which the resident, for a commission or other consideration, directly or indirectly refers potential customers, whether by a link or an internet website, by telemarketing, by an in-person oral presentation, or otherwise, to the retailer, if the cumulative gross receipts from sales by the retailer to customers in the state who are referred to the retailer by all residents with this type of an agreement with the retailer is in excess of \$10,000 during the preceding 12 months. This presumption may be rebutted by submitting proof that the residents with whom the retailer has an agreement did not engage in any activity within the state that was significantly associated with the retailer's ability to establish or maintain the retailer's market in the state during the preceding 12 months. Such proof may consist of sworn written statements from all of the residents with whom the retailer has an agreement stating that they did not engage in any solicitation in the state on behalf of the retailer during the preceding year, provided that such statements were provided and obtained in good faith. This subparagraph shall take effect 90 days after the enactment of this statute and shall apply to sales made and uses occurring on or after the effective date of this subparagraph and without regard to the date the retailer and the resident entered into the agreement described in this subparagraph. The term "preceding 12 months" as used in this subparagraph includes the 12 months commencing prior to the effective date of this subparagraph.

(D) The presumptions in subparagraphs (A) and (B) may be rebutted by demonstrating that the activities of the person or affiliated person in the state are not significantly associated with the retailer's ability to establish or maintain a market in this state for the retailer's sales.

(3) The processing of orders electronically, by fax, telephone, the internet or other electronic ordering process, does not relieve a retailer of responsibility for collection of the tax from the purchaser if the retailer is doing business in this state pursuant to this section.

(i) "Director" means the director of taxation.

(j) As used in this section, "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in section 1563(a) of the federal internal revenue code as the retailer or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the retailer as a corporation that is a member of the same "controlled group of corporations" as defined in section 1563(a) of the federal internal revenue code."

And by renumbering sections accordingly;

Also on page 20, in line 39, after "Supp." by inserting "74-2433f,"; also in line 39, by striking "is" and inserting ", 79-306e, 79-1448, 79-1609, 79-1701a, 79-1702, 79-2005 and 79-3702 are";

On page 1, in the title, in line 3, after "sales" by inserting "and use"; also in line 3, after the second "tax" by inserting ", nexus"; also in line 3, before "amending" by inserting "property tax, exemptions, watercraft, appraisals, payment of refund of taxes,"; also in line 3, after "Supp." by inserting "74-2433f,"; in line 4, after "5162," by inserting "79-306e, 79-1448, 79-1609, 79-1701a, 79-1702, 79-2005,"; also in line 4, after "79-3620" by inserting ", 79-3702";

And your committee on conference recommends the adoption of this report.

RICHARD CARLSON

SCOTT SCHWAB

TOM SAWYER

Conferees on part of House

LES DONOVAN

CARYN TYSON

G. THOMAS HOLLAND

Conferees on part of Senate

On motion of Rep. Carlson, the conference committee report on **H Sub for SB 83** was adopted.

On roll call, the vote was: Yeas 104; Nays 15; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Campbell, Dillmore, Garber, Henderson, Kuether, Lane, Menghini, O'Brien, Pauls, Ruiz, Sloop, Tietze, Victors, Ward.

Present but not voting: None.

Absent or not voting: Brunk, Hermanson, Houston, Osterman, Peterson, Thimesch.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House nonconcurred in Senate amendments to **HB 2069** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 199** 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.

DAVID J. CRUM

BRIAN WEBER

Conferees on part of House

MARY PILCHER-COOK

ELAINE BOWERS

Conferees on part of Senate

On motion of Rep. Crum the conference committee report on **SB 199** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Crum, Weber and Ward as second conferees on the part of the House.

The House stood at ease until the sound of the gavel.

Speaker pro tem Mast called the House to order.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6030**—

By Representatives Meier, Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-

Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn and Wolfe Moore

A RESOLUTION designating April 4 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 April 4 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 two enrolled copies of this resolution to Representative Meier to present to the Kansas Chapters of the Vietnam Veterans of America and the Veterans of Foreign War.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Carlin, **HR 6029**, by Reps. Carlin and Phillips, as follows, was introduced and adopted:

A RESOLUTION congratulating and commending Kansas State University quarterback Collin Klein for his achievements on and off the football field.

WHEREAS, Collin Klein was born September 19, 1989, and played football for Loveland High School in Colorado and set school records for completion percentage and all-purpose yards; and

WHEREAS, Collin Klein was a coach before he was a quarterback. When his younger brother Kyle joined a flag football team, Collin assumed the role of defensive coordinator. He didn't start playing football until he was old enough for high school; and

WHEREAS, Collin Klein made his first career start at quarterback for Kansas State University in a win against the Texas Longhorns in 2010. Collin's leadership qualities lead him to be selected as a three-time team captain for K-State; and

WHEREAS, During his illustrious career, Collin Klein earned many awards. He was named a 2012 second team All-American by the Associated Press. He won the 2012 Johnny Unitas Golden Arm Award, the 2012 Kellen Moore Award and was named the 2012 Big 12 Offensive Player of the Year. He was a finalist for the Maxwell Award, the Davey O'Brien Award, the Walter Camp Player of the Year Award and the Manning Award; and

WHEREAS, Collin Klein set many records. He holds the K-State single-season records for most rushing touchdowns and for most rushing yards by a quarterback; and

WHEREAS, Collin Klein piled up close to 3,400 yards and 37 touchdowns during the 2012 football season while leading the K-State Wildcats to an 11-victory season and the program's first Big 12 Championship since 2003. He was invited to New York City as one of three finalists for the Heisman Trophy, college football's most prestigious award. He later played in the 2013 East-West Shrine Game; and

WHEREAS, When Collin Klein graced the cover of Sports Illustrated, it was so difficult to find a copy in Kansas and Colorado that the magazine had to re-release it; and

WHEREAS, Collin Klein was named to the 2012 Allstate AFCA Good Works Team. Out of 117 nominees, Collin was one of 22 players honored. He is the second K-State football player to receive the award in its 21-year history. He also was a finalist for the Senior CLASS Award; and

WHEREAS, Collin Klein was named to the Good Works Team for his various activities in the Manhattan community, such as work with the Fellowship of Christian Athletes, a local reading program, a Christmas food program and the Special Olympics.

For him, free time means community service. His selflessness, his faith, his leadership and his work ethic make him not only a special quarterback, but also a special community servant; and

WHEREAS, Collin Klein has various other talents beyond football. In high school he attended musical recitals, where he played the piano, violin and mandolin. He was a second team Academic All Big 12 member; and

WHEREAS, Collin Klein famously played through injuries and established himself as one of the toughest players in the nation. Collin had a unique way of viewing injuries as challenges. He fought through severely bruised ribs, a separated shoulder and a dinged-up ankle. His teammates long ago nicknamed him "Honey Badger," because much like the animal that became famous in a YouTube video for picking a fight with a rattlesnake, Collin Klein never backed down; and

WHEREAS, Collin Klein has three main priorities: God, family and football: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Collin Klein for his numerous outstanding achievements both on and off the football field and thank him for his community service and for being a positive role model for young people across 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 Carlin and Representative Phillips.

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

It is with Great Purple Pride that I introduce to you, K-State Quarterback, Collin Klein, a leader on and off the football field.

We saw in his first game as a Wildcat a new spark that would definitely leave a mark on K-State football.

His high school coach, brother of former Rep. Deena Horst, John Poovey says – “Collin Klein is one of the most amazing people that I have ever had the opportunity to work with in 41 years of coaching! ... Collin is driven, humble, a leader beyond expectation, focused, centered, well rounded, and a young man with a moral fiber that will amaze you!...”

K-Staters find Collin modest and confident, and he is loved and supported by the fans and student body alike.

We applaud you, Coach Bill Snyder, your teammates, and all the coaches for taking Kansas State to the 2012 Big 12 Championship and trip to the BCS Fiesta Bowl, and for being a finalist for the prestigious Heisman Trophy!

Thank you for your dedication and hard work! We wish you much success in all of your future endeavors.

The House stood at ease until the sound of the gavel.

Speaker pro tem Mast called the House to order.

MESSAGE FROM THE SENATE

Announcing passage of **SB 152**.

Announcing passage of **HB 2167**, as amended by **S Sub for HB 2167**; and **HB 2199**, as amended by **S Sub for HB 2199**.

The Senate adopts the Conference Committee report to agree to disagree on **Sub HB 2105**, and has appointed Senators Lynn, Wagle and Holland as second conferees on the part of the Senate

The President announced the appointment of Senator Francisco as a member of the conference committee on **HB 2253** to replace Senator Kelly.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

SB 152.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2105** 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.

JULIA LYNN
SUSAN WAGLE
Conferees on part of Senate

MARVIN KLEEB
GENE SUELLENTROP
STAN FROWNFEILER
Conferees on part of House

On motion of Rep. Kleeb the conference committee report on **Sub HB 2105** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Siegfried, the House nonconcurred in Senate amendments to **S Sub for HB 2199** and asked for a conference.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as conferees on the part of the House.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, April 4, 2013.

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 4, 2013, 10:00 a.m.

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

The roll was called with 123 members present.

Rep. Osterman was excused on verified illness.

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

Reps. Campbell and Peterson were excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Eric Laverentz, senior pastor, The Presbyterian Church of Stanley, Overland Park, and guest of Rep. McPherson:

Blessed are you, O LORD, our father, forever and ever.
Yours O LORD, is the greatness and the power and the glory
and the victory and the majesty, for all that is in the heavens
and in the earth is yours. Yours is the kingdom, O LORD, and
you are exalted as head above all. Both riches and honor
come from you, and you rule over all. In your hand are power
and might, and in your hand it is to make great and to give
strength to all. And now we thank you, our God, and praise
your glorious name. Lord Jesus you are the image of the
invisible God, the firstborn of all creation. For by you all
things were created, in heaven and on earth, visible and
invisible, whether thrones or dominions or rulers or
authorities- all things were created through you and for you.
And you are before all things and in you all things hold
together.

O Lord, let your ear be attentive to the prayer of your
servants who delight to fear your name, give success to us
today, and grant us mercy. Amen.

The Pledge of Allegiance was led by Rep. Becker.

INTRODUCTION OF GUESTS

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

It is my honor to congratulate the Wamego High School Lady Raider basketball team, who are this year's 4A State Champions.

They are back to back undefeated league champions and sub-state champions. The basketball team record was 25-1 this year and 43-6 in the last two years. The Wamego girls placed fourth at the state tournament in 1986 and attended in 1992, but the last time a basketball team from Wamego won state was 45 years ago in 1968.

Wamego High School junior Kaylee Page is the first Lady Raider ever to be selected as a first-team all-state basketball player by the Topeka Capital-Journal. Her sister, sophomore Lanie Page, was named to the all-state second team. Senior Lakyn Rowden was named honorable mention.

I am pleased to introduce the Lady Raiders, their coaches, and administration: Seniors: Katie Baker, Rikki Alderson, Lakyn Rowden, Rachel Griffith; Juniors: Kaylee Page, Kasey Holle; Sophomores: Lanie Page, Maddie Vontz, Allison Seufert, Alexis Pettay, Brooke Woodward; Freshman: Jennifer Griffith; Manager: Kayla Lough; Alternates: Anna Stratton, Emmy Landis; Head Coach: Jim Page; Assistant Coaches: Andy Morton, Jana Biery; Athletic Director: Mark Stephan; Principal: Tim Winter; Superintendent: Denise O'Dea.

Rep. Highland presented the coaches and team with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2412, AN ACT concerning utilities; relating to the construction of electric transmission lines; concerning the issuance of certificates of public convenience; amending K.S.A. 2012 Supp. 66-131 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Insurance: **SB 152**.

MESSAGE FROM THE SENATE

Announcing passage of **SB 181**, **SB 231**.

The Senate concurs in House amendments to **SB 1**, and requests return of the bill.

The Senate adopts the Conference Committee report on **H Sub for SB 83**.

The Senate adopts the Conference Committee report on **HB 2009**.

The Senate adopts the Conference Committee report on **Sub HB 2024**.

The Senate adopts the Conference Committee report on **HB 2033**.

The Senate adopts the Conference Committee report on **HB 2339**.

The Senate adopts the Conference Committee report on **S Sub for HB 2043**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2183**, and has appointed Senators Pilcher-Cook, Bowers and Kelly as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2201**, and has appointed Senators Apple, Knox and Francisco as second conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were introduced and read by title:

SB 181, SB 231.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Edwards, **HR 6030**, A RESOLUTION designating April 4 as "Welcome Home Vietnam Veterans Day," was adopted.

There being no objection, the following remarks of Reps. Meier, Gonzalez and Edwards are spread upon the Journal:

Remarks of Rep. Meier:

Welcome Home.

Many Vietnam War veterans have waited decades to hear those two words. This past weekend marked the 40th anniversary of the departure of US Forces from Vietnam - ending that conflict.

Unfortunately, 40 years ago, in a time of division over the Vietnam conflict, our fighting men were not always treated with the support and respect they deserved. Today our fellow veterans, our neighbors, and Kansas have worked to finally right that wrong.

In 2010, the Kansas Legislature created a Vietnam War Era Medallion to be issued to any Kansas veteran who served during the Vietnam Conflict and last year, the Vietnam Veteran license plate was finally available. These are just a couple of our humble attempts to recognize our veterans and their service to our nation.

I have with me, two of our own Vietnam Veterans currently serving in the Legislature, Representative Joe Edwards and Representative Ramon Gonzalez. They have joined me to help acknowledge our guests and their fellow Vietnam Veterans.

Remarks of Rep Gonzalez:

I am honored to introduce: Ray Calore, the Commander of the Kansas Veterans of Foreign Wars; Herbert Schwartzkopf, who is also the Adjutant –Quartermaster of the Kansas Veterans of Foreign Wars; Larry Meadows, a Past First District VFW Commander; Lynn Rolf, Jr, Vice President of Chapter 75 of the Kansas Vietnam Veterans of America in Leavenworth.

These quiet heroes slogged through jungles. We fought side by side. We helped our wounded comrades and watched helplessly as comrades died. Despite all this, Vietnam Veterans have always considered themselves just ordinary people. They are humble and patriotic Americans. All they asked for in return for their service was respect and dignity.

Remarks of Rep Edwards:

Despite the lack of respect they received 40 years ago, Vietnam Veterans fight today to honor and assist the young returning veterans from the wars since 9-11. Through their dedication and service, our nation and our state has recognized that we must separate the war from the warrior.

We do not celebrate war. We historically recognize war. We celebrate our warriors who put their lives on the line to protect us and our way of life. We remember that the

character of a nation is measured in how it treats its veterans.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 187** 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.

MARVIN KLEEB

GENE SUELLENTROP

Conferees on part of House

JULIA LYNN

SUSAN WAGLE

Conferees on part of Senate

On motion of Rep. Kleeb the conference committee report on **SB 187** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **HB 2183** 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.

MARY PILCHER-COOK

ELAINE BOWERS

Conferees on part of Senate

J. DAVID CRUM

BRIAN WEBER

Conferees on part of House

On motion of Rep. Crum the conference committee report on **Sub HB 2183** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Crum, Weber and Ward as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **HB 2201** 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.

PAT APPLE
 FORREST J. KNOX
Conferees on part of Senate

JOE SEIWERT
 RANDY GARBER
Conferees on part of House

On motion of Rep. Seiwert the conference committee report on **HB 2201** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Seiwert, Garber and Kuether as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 122** 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
 ROB BRUCHMAN
 JANICE L. PAULS
Conferees on part of House

JEFF KING
 GREG SMITH
 DAVID HALEY
Conferees on part of Senate

On motion of Rep. Kinzer the conference committee report on **SB 122** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Siegfried, the House concurred in Senate amendments to **S Sub for HB 2167**, AN ACT concerning fireworks; amending K.S.A. 2012 Supp. 31-505 and repealing the existing section; also repealing K.S.A. 31-155 and 31-156.

Call of the House was demanded.

On roll call, the vote was: Yeas 100; Nays 23; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls,

Peck, Perry, Peterson, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weigel, Whipple, Winn.

Nays: Bradford, Bridges, Couture-Lovelady, Christmann, DeGraaf, Dillmore, Esau, Garber, Grosserode, Hawkins, Hildabrand, Kelley, Kuether, Macheers, McPherson, Petty, Powell, Sloop, Sutton, Ward, Weber, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 57** 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 35, by inserting:

"Sec. 4. K.S.A. 2012 Supp. 47-619 is hereby amended to read as follows: 47-619. ~~When requested by the 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 animal health commissioner. The 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~~ the animal health commissioner or the commissioner's designee 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.";

On page 3, in line 4, by striking "except as"; by striking all in lines 5 through 11 and inserting the following:

"unless the commissioner has:

(A) Discovered a violation of article 21 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto; or

(B) received a complaint that such premises is not being operated, managed or maintained in accordance with rules and regulations adopted pursuant to this section.";

Also on page 3, in line 12, by striking "(3)" and inserting "(2)"; in line 18, by striking "(2)";

And by renumbering sections accordingly;

Also on page 3, in line 34, before "47-650" by inserting "47-619,";

On page 1, in line 2, after the first semicolon by inserting "duties of the animal health

commissioner;" also in line 2, following "2-907" by inserting ", 47-619";

And your committee on conference recommends the adoption of this report.

SHARON SCHWARTZ
 KYLE HOFFMAN
 J. PONKA-WE VICTORS
Conferees on part of House

GARRETT LOVE
 DAN KERSCHEN
 MARCI FRANCISCO
Conferees on part of Senate

On motion of Rep. Schwartz, the conference committee report on **Sub SB 57** was adopted.

On roll call, the vote was: Yeas 80; Nays 42; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bridges, Brunk, Burroughs, Couture-Lovelady, Carlin, Carpenter, Cassidy, Claeys, Clayton, Concannon, Crum, Dierks, Dillmore, Doll, Dove, Ewy, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Henderson, Henry, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Kelly, Kleeb, Lane, Lunn, Lusk, Meigs, Moxley, O'Brien, Pauls, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Wilson, Winn, Wolfe Moore.

Nays: Bradford, Bruchman, Campbell, Carlson, Christmann, Corbet, Davis, DeGraaf, Edmonds, Edwards, Esau, Garber, Grosserode, Hawkins, Hedke, Hildabrand, Houser, Howell, Jones, Kahrs, Kelley, Kinzer, Kuether, Macheers, Mast, McPherson, Meier, Menghini, Merrick, Montgomery, Peck, Petty, Powell, Rubin, Ruiz, Ryckman Jr., Sawyer, Sloop, Sutton, Todd, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 96** submits the following report:

The House recesses 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 1, in line 14, after "fee" by inserting "as follows: (1)"; in line 18, after "treasurer" by inserting "; and (2) in an amount not to exceed \$2.50 per vehicle registration or renewal thereof for registration, when such application is made at a registration facility in a county with a single vehicle registration facility as established by the county treasurer";

And your committee on conference recommends the adoption of this report.

RICHARD J. PROEHL
 RONALD RYCKMAN, SR.
 EMILY PERRY

Conferees on part of House

MIKE PETERSEN
 KAY WOLF
 PAT PETTEY

Conferees on part of Senate

On motion of Rep. Proehl, the conference committee report on **SB 96** was adopted.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Winn, Wolfe Moore.

Nays: Bridges, Burroughs, Carlin, Dillmore, Kuether, Ward, Whipple, Wilson.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 168** 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 43, by striking the colon;

On page 3, in line 1, by striking "(1 Wholesale"; in line 2, by striking "; or"; by striking all in line 3; in line 4, by striking all before the period;

And your committee on conference recommends the adoption of this report.

SHARON SCHWARTZ
 KYLE HOFFMAN
 J. PONKA-WE VICTORS

Conferees on part of House

GARRETT LOVE
 DAN KERSCHEN
 MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Schwartz, the conference committee report on **SB 168** was adopted.

On roll call, the vote was: Yeas 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Alcalá, Campbell, Dillmore, Houston, Kinzer, Kuether, Lane, Sloop, Todd, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2024** 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, in line 37, by striking "\$1,000" and inserting "\$2,000";

And your committee on conference recommends the adoption of this report.

JULIA LYNN
 SUSAN WAGLE
 G. THOMAS HOLLAND

Conferees on part of Senate

MARVIN KLEEB
 GENE SUELLENTROP
 STAN FROWNFEILER

Conferees on part of House

On motion of Rep. Kleeb, the conference committee report on **Sub HB 2024** was adopted.

On roll call, the vote was: Yeas 100; Nays 22; Present but not voting: 0; Absent or not

voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bruchman, Carlson, Corbet, DeGraaf, Esau, Grosserode, Highland, Hildabrand, Houser, Howell, Kelley, Kinzer, Lunn, McPherson, Moxley, Petty, Powell, Ryckman Jr., Ryckman Sr., Schwab, Todd, Vickrey.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. DeGraaf, the House concurred in Senate amendments to **HB 2139**, AN ACT concerning state finance; relating to canceled warrants; amending K.S.A. 10-811, 46-913, 46-924 and 58-3974 and repealing the existing sections; also repealing K.S.A. 10-812 and K.S.A. 2012 Supp. 46-921.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, C-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Alcalá, Burroughs, Dillmore, Ruiz, Sloop, Victors, Ward, Wilson.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

On motion of Rep. Kleeb, the House concurred in Senate amendments to **S Sub for HB 2150**, AN ACT concerning the Kansas employment first oversight commission; amending K.S.A. 2012 Supp. 44-1138 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 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple, Wilson, Wolfe Moore.

Nays: Alcalá, Burroughs, Dillmore, Henderson, Kuether, Lane, Ruiz, Tietze, Victors, Ward, Weigel, Winn.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2069** and has appointed Senators Lynn, Wagle 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 2199** and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 199**, and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2249**, and has appointed Senators Pyle, Holmes and Faust-Goudeau as conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2253**, and has appointed Senators Pilcher-Cook, Bowers and Kelly as conferees on the part of the Senate.

The President announced the appointment of Senator Francisco as a member of the conference committee on **HB 2253** to replace Senator Kelly.

On motion of Rep. Vickrey, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

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

MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **SB 88**.

The Senate adopts the Conference Committee report on **HB 2078**.

The Senate adopts the Conference Committee report on **HB 2107**.

The Senate adopts the Conference Committee report on **HB 2109**.

The Senate adopts the Conference Committee report on **S Sub for HB 2140**.

The Senate adopts the Conference Committee report on **HB 2261**.

The Senate adopts the Conference Committee report on **HB 2303**.

The Senate adopts the Conference Committee report on **HB 2319**.

The Senate adopts the Conference Committee report on **HB 2363**.

The Senate adopts the Conference Committee report to agree to disagree on **SB 122**, and has appointed Senators King, Haley and Smith as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 187**, and has appointed Senators Lynn, Wagle and Holland as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **HB 2249** 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.

DENNIS PYLE

MITCH HOLMES

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

STEVE HUEBERT

TOM PHILLIPS

JOHN ALCALA

Conferees on part of House

On motion of Rep. Huebert the conference committee report on **HB 2249** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Huebert, Phillips and Alcala as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **HB 2253** 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.

MARY PILCHER-COOK
 ELAINE BOWERS
Conferees on part of Senate

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
Conferees on part of House

On motion of Rep. Siegfroid the conference committee report on **HB 2253** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Siegfroid, Brunk and Ruiz as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 23** 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.

WARD CASSIDY
 AMANDA GROSSERODE
 VALDENIA C. WINN
Conferees on part of House

STEVE E. ABRAMS
 TOM ARPKE
 ANTHONY HENSLEY
Conferees on part of Senate

On motion of Rep. Cassidy the conference committee report on **SB 23** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Cassidy, Grosserode and Winn as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 102** 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.

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
Conferees on part of House

RALPH OSTMEYER
 JAY SCOTT EMLER
Conferees on part of Senate

On motion of Rep. Siegfried the conference committee report on **SB 102** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 124** 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
 ROB BRUCHMAN
 JANICE L. PAULS
Conferees on part of House

JEFF KING
 GREG SMITH
Conferees on part of Senate

On motion of Rep. Kinzer the conference committee report on **SB 124** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 164** 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 9 through 32; by striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 29 and inserting:

"(a) "All-terrain vehicle" means any motorized nonhighway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, having a seat designed to be straddled by the operator. As used in this subsection, nonhighway tire means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.

(b) "Commission" or "state highway commission" means the director of vehicles of the department of revenue.

(c) "Contractor" means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the

department to provide services associated with vehicle functions.

(d) "Department" or "motor vehicle department" or "vehicle department" means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(e) "Division" means the division of vehicles of the department of revenue.

(f) "Electric personal assistive mobility device" means a self-balancing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

(g) "Electric vehicle" means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

(1) Residential electric service;

(2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, EVSE (Electric Vehicle Supply Equipment) or a public charging station.

(h) "Electronic certificate of title" means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2012 Supp. 8-135d, and amendments thereto.

(i) "Electronic notice of security interest" means the division's online internet program which enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

(j) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

(k) "Farm trailer" means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

(l) "Foreign vehicle" means every motor vehicle, trailer, or semitrailer which shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

(m) "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(n) "Highway" means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

(o) "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways. Such term shall include, but not be limited to:

(1) A farm tractor;

(2) a self-propelled farm implement;

(3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;

(4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung;

(5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

(p) "Lien" means a security interest as defined in this section.

(q) "Lightweight roadable vehicle" means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.

(r) "Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

(s) "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle or recreational off-highway vehicle.

(t) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled.

(u) "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in this section.

(v) "Motorized bicycle" means every device having two tandem wheels or three wheels, which may be propelled by either human power or helper motor, or by both, and which has:

(1) A motor which produces not more than 3.5 brake horsepower;

(2) a cylinder capacity of not more than 130 cubic centimeters;

(3) an automatic transmission; and

(4) the capability of a maximum design speed of no more than 30 miles per hour.

(w) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

(x) "New vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles and who holds a dealer's contract therefor from a manufacturer or distributor and who has an established place of business in this state.

(y) "Nonresident" means every person who is not a resident of this state.

(z) "Notice of security interest" means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle which has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

(aa) "Oil well servicing, oil well clean-out or oil well drilling machinery or equipment" means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

(bb) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

(cc) "Passenger vehicle" means every motor vehicle, as defined in this section, which is designed primarily to carry 10 or fewer passengers, and which is not used as a truck.

(dd) "Person" means every natural person, firm, partnership, association or corporation.

(ee) "Pole trailer" means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

(ff) "Recreational off-highway vehicle" means any motor vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires, having a nonstraddle seat and steering wheel for steering control.

(gg) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

(hh) "Self-propelled farm implement" means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

(ii) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(ji) "Specially constructed vehicle" means any vehicle which shall not have been originally constructed under a distinctive name, make, model or type, or which, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(kk) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(ll) "Travel trailer" means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

(mm) "Truck" means a motor vehicle which is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

(nn) "Truck tractor" means every motor vehicle designed and used primarily for

drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

(oo) "Used vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer's contract for the sale of new motor vehicles, travel trailers or vehicles.

(pp) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

(qq) "Vehicle functions" means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver's licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. "Vehicle functions" may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(rr) "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-type seating allowing for at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle."

On page 7, following line 13, by inserting:

"Sec. 3. K.S.A. 8-1436 is hereby amended to read as follows: 8-1436. "Motor home" means every motor vehicle designed, ~~used or maintained primarily as a mobile dwelling, office or commercial space to provide temporary living quarters for recreational, camping or travel use.~~

Sec. 4. K.S.A. 40-298 is hereby amended to read as follows: 40-298. As used in this act, the following words and phrases shall have the meanings respectively ascribed to them herein:

(a) "Automobile dealer" means a new vehicle dealer or a used vehicle dealer as defined by K.S.A. ~~8-178~~ 8-126, and amendments thereto;

(b) "Automobile" means a passenger vehicle as defined by ~~subsection (x) of K.S.A. 8-126, and amendments thereto;~~

(c) "Dealer" means any automobile dealer or lending agency;

(d) "Lending agency" means any person engaged in the business of financing or lending money to any person to be used in the purchase or financing of a motor vehicle; and

(e) "Person" means any individual, partnership, corporation or other association of persons.

Sec. 5. K.S.A. 2012 Supp. 44-1204 is hereby amended to read as follows: 44-1204. (a) On and after January 1, 1978, no employer shall employ any employee for a workweek longer than ~~forty-six (46)~~ 46 hours, unless such employee receives compensation for employment in excess of ~~forty-six (46)~~ 46 hours in a workweek at a

rate of not less than ~~one and one-half~~ $(1\frac{1}{2})$ 1 $\frac{1}{2}$ times the hourly wage rate at which such employee is regularly employed.

(b) No employer shall be deemed to have violated subsection (a) with respect to the employment of any employee who is covered by this section, who is engaged in the public or private delivery of emergency medical services as an attendant as defined by K.S.A. 65-6112, and amendments thereto, or who is engaged in fire protection or law enforcement activities, including any member of the security personnel in any correctional institution, and who is paid compensation at a rate of not less than $1\frac{1}{2}$ times the regular rate at which such employee is employed:

(1) In any work period of 28 consecutive days in which such employee works for tours of duty which in the aggregate exceed 258 hours; or

(2) in the case of any such employee to whom a work period of at least seven but less than 28 days applies, in any such work period in which such employee works for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in such work period as 258 hours bears to 28 days.

(c) The provisions of this section shall not apply to the employment of:

(1) Any employee who is covered under the provisions of section 7 of the fair labor standards act of 1938 as amended (~~29~~ U.S.C.A. § 207), and as amended by the fair labor standards amendments of 1974, and ~~any other acts amendatory thereof or supplemental amendments~~ thereto; or

(2) any employee who is primarily engaged in selling motor vehicles, as defined in ~~subsection (b) of~~ K.S.A. 8-126, and amendments thereto, for a nonmanufacturing employer primarily engaged in the business of selling such vehicles to ultimate purchasers;

(3) any person who is sentenced to the custody of the secretary of corrections and any person serving a sentence in a county jail.

(d) For the purposes of this section, the agreement or practice by employees engaged in fire protection or law enforcement activities of substituting for one another on regularly scheduled tours of duty, or a part thereof, shall be deemed to have no effect on hours of work if:

(1) The substituting is done voluntarily by the employees and not at the behest of the employer;

(2) the reason for substituting is due not to the employer's business practice but to the employee's desire or need to attend to a personal matter;

(3) a record is maintained by the employer of all time substituted by the employer's employees; and

(4) the period during which time is substituted and paid back does not exceed 12 months.

Sec. 6. K.S.A. 59-3508 is hereby amended to read as follows: 59-3508. A motor vehicle, as defined by ~~subsection (b) of~~ K.S.A. 8-126, and amendments thereto, may be titled in transfer-on-death, TOD, form by including in the certificate of title a designation of a beneficiary or beneficiaries to whom the motor vehicle shall be transferred on death of the owner or the last survivor of the joint tenant with right of survivorship owners, subject to the rights of all lien holders.";

And by renumbering remaining sections accordingly;

Also on page 7, in line 14, following "K.S.A." by inserting "8-1436, 40-298 and 59-

3508 and K.S.A."; also in line 14, by striking "and" and inserting a comma; also in line 14, following "8-129" by inserting "and 44-1204";

On page 1, in the title, in line 1, by striking "the" and inserting "definitions;"; in line 2, following "K.S.A" by inserting "8-1436, 40-298 and 59-3508 and K.S.A."; also in line 2, by striking "and" and inserting a comma; in line 3, following "129" by inserting "and 44-1204";

And your committee on conference recommends the adoption of this report.

RICHARD J. PROEHL
RONALD RYCKMAN, SR.
EMILY PERRY

Conferees on part of House

MIKE PETERSEN
KAY WOLF
PAT PETTEY

Conferees on part of Senate

On motion of Rep. Proehl, the conference committee report on **SB 164** was adopted.

On roll call, the vote was: Yeas 111; Nays 9; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Wolfe Moore.

Nays: Burroughs, DeGraaf, Dillmore, Kuether, Menghini, Sloop, Tietze, Trimmer, Winn.

Present but not voting: None.

Absent or not voting: Campbell, Finch, Osterman, Peterson, Powell.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2009** 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 3, in line 14, before "during" by inserting "in going to or returning from an appointment with a health care provider or"; by striking all in line 19;

And your committee on conference recommends the adoption of this report.

JEFF KING
 GREG SMITH
 DAVID HALEY

Conferees on part of Senate

RICHARD J. PROEHL
 RONALD RYCKMAN, SR.
 EMILY PERRY

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2009** was adopted.

On roll call, the vote was: Yeas 75; Nays 44; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Boldra, Bollier, Bridges, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Cassidy, Clayton, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edwards, Ewy, Finney, Frownfelter, Goico, Grant, Hedke, Henderson, Hermanson, Hibbard, Hill, Hineman, Houston, Huebert, Jennings, Johnson, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Menghini, Merrick, Montgomery, Moxley, Pauls, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rothlisberg, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Becker, Bideau, Bradford, Carpenter, Christmann, Claeys, Concannon, Corbet, DeGraaf, Edmonds, Esau, Garber, Gonzalez, Grosserode, Hawkins, Henry, Highland, Hildabrand, Hoffman, Houser, Howell, Hutton, Jones, Kahrs, Kelley, Kinzer, Macheers, McPherson, Meigs, O'Brien, Peck, Powell, Rooker, Rubin, Ryckman Jr., Schwab, Seiwert, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Ward.

Present but not voting: None.

Absent or not voting: Bruchman, Campbell, Finch, Gandhi, Osterman, Peterson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2033** 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 19, by striking "38-3202" and inserting "38-2302"; in line 20, by striking "38-3202" and inserting "38-2302"; in line 25, by striking "or" and inserting a comma; in line 30, before the semicolon by inserting "or throwing star";

On page 5, in line 39, by striking "or" and inserting a comma;

On page 6, in line 1, before the semicolon by inserting "or throwing star";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER
 JAY SCOTT EMLER
 TOM HAWK

Conferees on part of Senate

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
 LOUIS E. RUIZ

Conferees on part of House

On motion of Rep. Siegfroid, the conference committee report on **HB 2033** was adopted.

On roll call, the vote was: Yeas 95; Nays 26; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Gandhi, Garber, Goico, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple.

Nays: Bollier, Bridges, Carlin, Clayton, Dillmore, Doll, Frownfelter, Gonzalez, Henderson, Hill, Houston, Kuether, Lusk, Moxley, Perry, Phillips, Rooker, Ruiz, Sloop, Tietze, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Campbell, Finch, Osterman, Peterson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2043** 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. 2043, as follows:

On page 1, following line 5, by inserting:

"Section 1. K.S.A. 2012 Supp. 21-6617 is hereby amended to read as follows: 21-6617. (a) If a defendant is charged with capital murder, the county or district attorney shall file written notice if such attorney intends, upon conviction of the defendant, to request a separate sentencing proceeding to determine whether the defendant should be sentenced to death. In cases where the county or district attorney or a court determines that a conflict exists, such notice may be filed by the attorney general. Such notice shall be filed with the court and served on the defendant or the defendant's attorney not later than seven days after the time of arraignment. If such notice is not filed and served as required by this subsection, the ~~county or district~~ prosecuting attorney may not request

such a sentencing proceeding and the defendant, if convicted of capital murder, shall be sentenced to life without the possibility of parole, and no sentence of death shall be imposed hereunder.

(b) Except as provided in K.S.A. 2012 Supp. 21-6618 and 21-6622, and amendments thereto, upon conviction of a defendant of capital murder, the court, upon motion of the ~~county or district~~ prosecuting attorney, shall conduct a separate sentencing proceeding to determine whether the defendant shall be sentenced to death. The proceeding shall be conducted by the trial judge before the trial jury as soon as practicable. If any person who served on the trial jury is unable to serve on the jury for the sentencing proceeding, the court shall substitute an alternate juror who has been impaneled for the trial jury. If there are insufficient alternate jurors to replace trial jurors who are unable to serve at the sentencing proceeding, the trial judge may summon a special jury of 12 persons which shall determine the question of whether a sentence of death shall be imposed. Jury selection procedures, qualifications of jurors and grounds for exemption or challenge of prospective jurors in criminal trials shall be applicable to the selection of such special jury. The jury at the sentencing proceeding may be waived in the manner provided by K.S.A. 22-3403, and amendments thereto, for waiver of a trial jury. If the jury at the sentencing proceeding has been waived or the trial jury has been waived, the sentencing proceeding shall be conducted by the court.

(c) In the sentencing proceeding, evidence may be presented concerning any matter that the court deems relevant to the question of sentence and shall include matters relating to any of the aggravating circumstances enumerated in K.S.A. 2012 Supp. 21-6624, and amendments thereto, and any mitigating circumstances. Any such evidence which the court deems to have probative value may be received regardless of its admissibility under the rules of evidence, provided that the defendant is accorded a fair opportunity to rebut any hearsay statements. Only such evidence of aggravating circumstances as the state has made known to the defendant prior to the sentencing proceeding shall be admissible, and no evidence secured in violation of the constitution of the United States or of the state of Kansas shall be admissible. No testimony by the defendant at the sentencing proceeding shall be admissible against the defendant at any subsequent criminal proceeding. At the conclusion of the evidentiary presentation, the court shall allow the parties a reasonable period of time in which to present oral argument.

(d) At the conclusion of the evidentiary portion of the sentencing proceeding, the court shall provide oral and written instructions to the jury to guide its deliberations.

(e) If, by unanimous vote, the jury finds beyond a reasonable doubt that one or more of the aggravating circumstances enumerated in K.S.A. 2012 Supp. 21-6624, and amendments thereto, exist and, further, that the existence of such aggravating circumstances is not outweighed by any mitigating circumstances which are found to exist, the defendant shall be sentenced to death; otherwise, the defendant shall be sentenced to life without the possibility of parole. The jury, if its verdict is a unanimous recommendation of a sentence of death, shall designate in writing, signed by the foreman of the jury, the statutory aggravating circumstances which it found beyond a reasonable doubt. If, after a reasonable time for deliberation, the jury is unable to reach a verdict, the judge shall dismiss the jury and impose a sentence of life without the possibility of parole and shall commit the defendant to the custody of the secretary of corrections. In nonjury cases, the court shall follow the requirements of this subsection

in determining the sentence to be imposed.

(f) Notwithstanding the verdict of the jury, the trial court shall review any jury verdict imposing a sentence of death hereunder to ascertain whether the imposition of such sentence is supported by the evidence. If the court determines that the imposition of such a sentence is not supported by the evidence, the court shall modify the sentence and sentence the defendant to life without the possibility of parole, and no sentence of death shall be imposed hereunder. Whenever the court enters a judgment modifying the sentencing verdict of the jury, the court shall set forth its reasons for so doing in a written memorandum which shall become part of the record.

(g) A defendant who is sentenced to imprisonment for life without the possibility of parole shall spend the remainder of the defendant's natural life incarcerated and in the custody of the secretary of corrections. A defendant who is sentenced to imprisonment for life without the possibility of parole shall not be eligible for parole, probation, assignment to a community correctional services program, conditional release, postrelease supervision, or suspension, modification or reduction of sentence. Upon sentencing a defendant to imprisonment for life without the possibility of parole, the court shall commit the defendant to the custody of the secretary of corrections and the court shall state in the sentencing order of the judgment form or journal entry, whichever is delivered with the defendant to the correctional institution, that the defendant has been sentenced to imprisonment for life without the possibility of parole.";

And by redesignating sections accordingly;

Also on page 1, in line 22, following "Supp." by inserting "21-6617 and"; also in line 22, by striking "is" and inserting "are";

Also on page 1, in the title, in line 2, following "authority;" by inserting "relating to notice of intent to seek the death penalty;"; also in line 2, following "Supp." by inserting "21-6617 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

JOHN J. RUBIN

RAMON C. GONZALEZ, JR.

GAIL FINNEY

Conferees on part of House

On motion of Rep. Rubin, the conference committee report on **S Sub for HB 2043** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson,

Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Campbell, Finch, Osterman, Peterson.

MESSAGE FROM THE GOVERNOR

HB 2028, HB 2044, HB 2156, HB 2163, HB 2169, HB 2181, HB 2193, HB 2205, HB 2269, HB 2318, HB 2357 approved on April 4, 2013

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Menghini as a member of the conference committee on **H Sub for SB 84; HB 2059, HB 2060** to replace Rep. Sawyer.

REPORT ON ENGROSSED BILLS

HB 2128 reported correctly re-engrossed April 4, 2013.

REPORT ON ENROLLED RESOLUTIONS

HCR 5017; HR 6019, HR 6021, HR 6025, HR 6026, HR 6028 reported correctly enrolled and properly signed on April 4, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Friday, April 5, 2013.

Journal of the House

FIFTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, April 5, 2013, 10:00 a.m.

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

The roll was called with 121 members present.

Reps. Osterman and Tietze were excused on verified illness.

Reps. Finch and Sawyer were excused on excused absence by the Speaker.

Rep. Thimesch was excused for a portion of the day on excused absence by the Speaker.

Present later: Rep. Thimesch.

Prayer by guest chaplain, the Rev. David C. Fulton, pastor, St. Paul's Lutheran Church, Wichita, and guest of Rep. Dillmore:

The world is charged with the grandeur of God, Good and Gracious God, this moment is charged with your grandeur as we gather for prayer – calm our minds, open our hearts as we gather in your Presence.. the Psalmist sings out your truth in Psalm 112...

⁵ *It is well with those who deal generously.. who conduct their affairs with justice.*

⁶ *For the righteous will never be moved; they will be remembered for ever.*

⁷ *They are not afraid of evil tidings; their hearts are firm, secure in the LORD.*

⁸ *Their hearts are steady, they will not be afraid; in the end they will look in triumph on their foes.* ⁹ *They have distributed freely, they have given to the poor; their righteousness endures for ever; their horn is exalted in honor.*

O God, in your perspective, all are your children, all are precious to you, all deserve justice and well-being. As we gather in this space, there is work to be done, it is the work of the people, it is the work for the people, it is the work of justice. As the Kansas farmer finishes the day, takes off his gloves, puts and hands on his hips and looks out with gratitude on the land, so, all who gather here finish their days work with gratitude to thee. Hands on hips, they look over the work that has been accomplished. All here know gracious One, all here

know that at the end of the day, it's not about winning and losing, it's not about the governor, nor the conservatives, nor the moderates, nor the democrats, it's about the people, all the people, about the old, the vulnerable, the wealthy and the poor, it's about the children, the children, the children. At the end of the day, it's about doing justice, loving kindness and walking humbly with thee. Holy One, bless this day, bless the hearts of all who labor in this field of justice. We thank and praise you for Kansas, for the gift of our mid-western hard working and common sense heritage. We are Kansans, we are Shockers! This moment is charged with your grandeur O God, and all God's people say AMEN!

The Pledge of Allegiance was led by Rep. Bollier.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2412**.
Taxation: **SB 181, SB 231**.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **Sub HB 2017**.

The Senate adopts the Conference Committee report on **HB 2025**.

The Senate adopts the Conference Committee report on **S Sub for HB 2034**.

The Senate adopts the Conference Committee report on **HB 2081**.

The Senate adopts the Conference Committee report on **S Sub for HB 2093**.

The Senate adopts the Conference Committee report on **HB 2115**.

The Senate adopts the Conference Committee report on **HB 2120**.

The Senate adopts the Conference Committee report on **HB 2201**.

The Senate adopts the Conference Committee report on **HB 2218**.

The Senate adopts the Conference Committee report to agree to disagree on **SB 23**, and has appointed Senators Abrams, Arpke and Hensley as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 102**, and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 124**, and has appointed Senators King, Smith and Haley as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2234**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **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 7 through 34;

By striking all on pages 2 through 24 and inserting the following:

"Section 1. K.S.A. 16-207 is hereby amended to read as follows: 16-207. (a) Subject to the following provision, the parties to any bond, bill, promissory note or other instrument of writing for the payment or forbearance of money may stipulate therein for interest receivable upon the amount of such bond, bill, note or other instrument of writing, at a rate not to exceed 15% per annum unless otherwise specifically authorized by law.

~~(b) The interest rate limitation set forth in this subsection applies to all first mortgage loans and contracts for deed to real estate, unless the parties agree in writing to make the transaction subject to the uniform consumer credit code, K.S.A. 16a-1-101 to 16a-9-102, and amendments thereto. The interest rate limitation set forth in this subsection does not apply to a second mortgage loan governed by the uniform consumer credit code, K.S.A. 16a-1-101 to 16a-9-102, and amendments thereto, unless the lender and the borrower agree in writing that the interest rate for the loan is to be governed by this subsection. The maximum rate of interest per annum for notes secured by real estate mortgages and contracts for deed to real estate governed by this subsection shall be at an amount equal to 1 1/2 percentage points above the yield of thirty-year fixed rate conventional home mortgages committed for delivery within 61 to 90 days accepted under the federal home loan mortgage corporation's daily offerings for sale on the last day on which commitments for such mortgages were received in the preceding month unless otherwise specifically authorized by law. Such interest rate shall be computed for each calendar month and be effective on the first day thereof. The secretary of state shall publish notice of such maximum interest rate not later than the second issue of the Kansas register published each month.~~

~~(e)~~ No penalty shall be assessed against any party for prepayment of any home loan evidenced by a note secured by a real estate mortgage where such prepayment is made more than six months after execution of such note.

~~(d)~~(c) The lender may collect from the borrower:

(1) The actual fees paid a public official or agency of the state, or federal government, for filing, recording or releasing any instrument relating to a loan subject to the provisions of this section; and

(2) reasonable expenses incurred by the lender in connection with the making, closing, disbursing, extending, readjusting or renewing of loans subject to the provisions of this section.

~~(e)~~(d) Any person so contracting for a greater rate of interest than that authorized by this section shall forfeit all interest so contracted for in excess of the amount authorized under this section; and in addition thereto shall forfeit a sum of money, to be deducted from the amount due for principal and lawful interest, equal to the amount of interest contracted for in excess of the amount authorized by this section and such amounts may be set up as a defense or counterclaim in any action to enforce the collection of such obligation and the borrower shall also recover a reasonable attorney fee.

~~(f)~~(e) The interest rates prescribed in ~~subsections (a) and (b) of this section~~ subsection (a) shall not apply to a business or agricultural loan. For the purpose of this

section unless a loan is made primarily for personal, family or household purposes, the loan shall be considered a business or agricultural loan. For the purpose of this subsection, a business or agricultural loan shall include credit sales and notes secured by contracts for deed to real estate.

~~(g)~~ (f) Loans made by a qualified plan, as defined in section 401 of the internal revenue code, to an individual participant in such plan or to a member of the family of such individual participant, are not subject to the interest rates prescribed in ~~subsections (a) and (b) of this section~~ subsection (a).

~~(h)~~ (g) The interest rates prescribed in ~~subsections (a) and (b) of this section~~ subsection (a) shall not apply to a note secured by a real estate mortgage or a contract for deed to real estate where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule.

~~(i)~~ (h) A first mortgage loan incurred for personal, family or household purposes may be subject to certain provisions of the uniform consumer credit code, K.S.A. 16a-1-101 to 16a-9-102, and amendments thereto, as follows:

(1) Certain high loan-to-value first mortgage loans are subject to the provisions of the uniform consumer credit code, other than its usury provisions. Examples of provisions of the uniform consumer credit code applicable to high loan-to-value first mortgage loans include, but are not limited to: Limitations on prepaid finance charges; mandatory appraisals; required disclosures; restrictions on balloon payments and negative amortization; limitations on late fees and collection costs; and mandatory default notices and cure rights.

(2) Certain high interest rate first mortgage loans are subject to certain provisions of the uniform consumer credit code, including, without limitation, provisions which impose restrictions on balloon payments and negative amortization.

(3) If the parties to a first mortgage loan agree in writing to make the transaction subject to the uniform consumer credit code, then all applicable provisions of the uniform consumer credit code, including its usury provisions, apply to the loan.

This subsection is for informational purposes only and does not limit or expand the scope of the uniform consumer credit code.

~~(j)~~ (i) Subsections ~~(e), (d) and (e) of this section~~ (b), (c) and (d) do not apply to a first mortgage loan if:

(1) The parties agree in writing to make the transaction subject to the uniform consumer credit code, K.S.A. 16a-1-101 to 16a-9-102, and amendments thereto; or

(2) the loan is a high loan-to-value first mortgage loan subject to any provision of the uniform consumer credit code.

In the case of a loan described in ~~subparts paragraphs (1) or (2) of the preceding sentence~~, the applicable provisions of the uniform consumer credit code shall govern the loan in lieu of subsections ~~(e), (d) and (e) of this section~~ (b), (c) and (d).

Sec. 2. K.S.A. 16-207 and K.S.A. 16-207, as amended by 2013 Senate Bill No. 52 are 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 in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "mortgage interest rates; amending K.S.A. 16-207 and repealing the existing section; also repealing K.S.A. 16-207, as amended by 2013 Senate Bill No. 52";

And your committee on conference recommends the adoption of this report.

PETE DEGRAAF

JIM KELLY

STAN FROWNFELTER

Conferees on part of House

ROB OLSON

JEFF LONGBINE

TOM HAWK

Conferees on part of Senate

On motion of Rep. DeGraaf, the conference committee report on **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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 124** 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 13, by striking all before "an" and inserting "Except as otherwise provided in subsections (d) and (e), the Kansas restraint of trade act shall be construed in harmony with ruling judicial interpretations of federal antitrust law by the United States supreme court. If such judicial interpretations are in conflict with or inconsistent with the express provisions of subsection (c), the provisions of subsection (c) shall control.

(c) ";

Also on page 2, by striking all in lines 24 through 40;

On page 3, in line 10, before "The" by inserting "(d) The Kansas restraint of trade act shall not be construed to prohibit:

- (1) Actions or proceedings concerning intrastate commerce;
- (2) actions or proceedings by indirect purchasers pursuant to K.S.A. 50-161, and amendments thereto;
- (3) recovery of damages pursuant to K.S.A. 50-161, and amendments thereto;
- (4) any remedy or penalty provided in the Kansas restraint of trade act, including, but not limited to, recovery of civil penalties pursuant to K.S.A. 50-160, and amendments thereto; and
- (5) any action or proceeding brought by the attorney general pursuant to authority provided in the Kansas restraint of trade act, or any other power or duty of the attorney general provided in such act.

(e)";

And by redesignating subsections accordingly;

On page 5, in line 19, by striking "(1)"; in line 30, by striking "(2)"; in line 33, by striking "either but not both: (A)"; in line 34, by striking all following "sustained"; by striking all in lines 35 through 38; in line 39, by striking "(3)";

On page 6, in line 8, by striking ", 50-"; in line 9, by striking "158 and 50-161" and inserting "and 50-112"; also in line 9, by striking "cause"; in line 10, by striking "of action" and inserting "choses in action or defenses"; in line 11, following the first "act" by inserting "amended or"; also in line 11, by striking "cause of action that has" and inserting "choses in action or defenses that have"; in line 12, by striking "March 1, 2013," and inserting "the effective date of this act"; also in line 12, by striking "such"; in line 13, by striking "March 1, 2013" and inserting "the effective date of this act"; in line 19, by striking "statute book" and inserting "Kansas register";

And your committee on conference recommends the adoption of this report.

LANCE KINZER
ROB BRUCHMAN
JANICE L. PAULS

Conferees on part of House

JEFF KING
GREG SMITH

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 124** was adopted.

On roll call, the vote was: Yeas 97; Nays 23; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claey's, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker,

Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple.

Nays: Alcalá, Ballard, Bridges, Burroughs, Davis, Dillmore, Finney, Frownfelter, Henderson, Henry, Houston, Kuether, Lane, Meier, Peterson, Ruiz, Sloop, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 187** 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 26, following line 11, by inserting the following:

"Sec. 7. K.S.A. 2012 Supp. 2-224a is hereby amended to read as follows: 2-224a.

(a) Notwithstanding the provisions of K.S.A. 44-576, and amendments thereto, the state fair board is hereby authorized to purchase workers compensation insurance from an admitted carrier. Any contract for the purchase of workers compensation insurance entered into by the state fair board shall be purchased in the manner prescribed for the purchase of supplies, materials, equipment and contractual services as provided in K.S.A. 75-3738 through 75-3744, and amendments thereto, and any such contract having a premium or rate in excess of \$500 shall be purchased on the basis of sealed bids. Such contract shall not be subject to the provisions of K.S.A. 75-4101 through 75-4114 and K.S.A. 2012 Supp. 75-4125, and amendments thereto.

(b) If the state fair board enters into a contract for the purchase of workers compensation insurance as described in subsection (a), from and after the end of the payroll period in which such workers compensation policy takes effect, the state fair board shall not be subject to the self-insurance assessment prescribed by K.S.A. 44-576, and amendments thereto, and the director of accounts and reports shall cease to transfer any amounts for such self-assessment for the state fair board pursuant to such statute, except that any moneys paid relating to existing claims with the state workers compensation self-insurance fund made by the state fair board shall be assessed to the state fair board until all such claims have been closed and settled.

(c) Notwithstanding the provisions of K.S.A. 44-575, and amendments thereto, if the state fair board enters into a contract for the purchase of workers compensation insurance as described in subsection (a), the state workers compensation self-insurance fund shall not be liable for any compensation claims under the workers compensation act relating to the state fair board and arising during the term of such contract, or for any other amounts otherwise required to be paid under the workers compensation act during the term of such contract.

(d) The state fair board shall notify ~~the secretary of administration and~~ the secretary of health and environment of the effective date of any workers compensation policy acquired pursuant to this section.

Sec. 8. K.S.A. 2012 Supp. 44-510d is hereby amended to read as follows: 44-

510d. (a) Where disability, partial in character but permanent in quality, results from the injury, the injured employee shall be entitled to the compensation provided in K.S.A. 44-510h and 44-510i, and amendments thereto. The injured employee may be entitled to payment of temporary total disability as defined in K.S.A. 44-510c, and amendments thereto, or temporary partial disability as defined in subsection (a)(1) of K.S.A. 44-510e, and amendments thereto, provided that the injured employee shall not be entitled to any other or further compensation for or during the first week following the injury unless such disability exists for three consecutive weeks, in which event compensation shall be paid for the first week. Thereafter compensation shall be paid for temporary total or temporary partial disability as provided in the following schedule, $66\frac{2}{3}\%$ of the average weekly wages to be computed as provided in K.S.A. 44-511, and amendments thereto, except that in no case shall the weekly compensation be more than the maximum as provided for in K.S.A. 44-510c, and amendments thereto.

(b) If there is an award of permanent disability as a result of the injury there shall be a presumption that disability existed immediately after the injury and compensation is to be paid for not to exceed the number of weeks allowed in the following schedule:

- (1) For loss of a thumb, 60 weeks.
- (2) For the loss of a first finger, commonly called the index finger, 37 weeks.
- (3) For the loss of a second finger, 30 weeks.
- (4) For the loss of a third finger, 20 weeks.
- (5) For the loss of a fourth finger, commonly called the little finger, 15 weeks.
- (6) Loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of $\frac{1}{2}$ of such thumb or finger, and the compensation shall be $\frac{1}{2}$ of the amount specified above. The loss of the first phalange and any part of the second phalange of any finger, which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of $\frac{2}{3}$ of such finger and the compensation shall be $\frac{2}{3}$ of the amount specified above. The loss of the first phalange and any part of the second phalange of a thumb which includes the loss of any part of the bone of such second phalange, shall be considered to be equal to the loss of the entire thumb. The loss of the first and second phalanges and any part of the third proximal phalange of any finger, shall be considered as the loss of the entire finger. Amputation through the joint shall be considered a loss to the next higher schedule.

- (7) For the loss of a great toe, 30 weeks.
- (8) For the loss of any toe other than the great toe, 10 weeks.
- (9) The loss of the first phalange of any toe shall be considered to be equal to the loss of $\frac{1}{2}$ of such toe and the compensation shall be $\frac{1}{2}$ of the amount above specified.

(10) The loss of more than one phalange of a toe shall be considered to be equal to the loss of the entire toe.

- (11) For the loss of a hand, 150 weeks.
- (12) For the loss of a forearm, 200 weeks.
- (13) For the loss of an arm, excluding the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures, 210 weeks, and for the loss of an arm, including the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures, 225 weeks.

- (14) For the loss of a foot, 125 weeks.
- (15) For the loss of a lower leg, 190 weeks.
- (16) For the loss of a leg, 200 weeks.

(17) For the loss of an eye, or the complete loss of the sight thereof, 120 weeks.

(18) Amputation or severance below the wrist shall be considered as the loss of a hand. Amputation at the wrist and below the elbow shall be considered as the loss of the forearm. Amputation at or above the elbow shall be considered loss of the arm. Amputation below the ankle shall be considered loss of the foot. Amputation at the ankle and below the knee shall be considered as loss of the lower leg. Amputation at or above the knee shall be considered as loss of the leg.

(19) For the complete loss of hearing of both ears, 110 weeks.

(20) For the complete loss of hearing of one ear, 30 weeks.

(21) Permanent loss of the use of a finger, thumb, hand, shoulder, arm, forearm, toe, foot, leg or lower leg or the permanent loss of the sight of an eye or the hearing of an ear, shall be equivalent to the loss thereof. For the permanent partial loss of the use of a finger, thumb, hand, shoulder, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, compensation shall be paid as provided for in K.S.A. 44-510c, and amendments thereto, per week during that proportion of the number of weeks in the foregoing schedule provided for the loss of such finger, thumb, hand, shoulder, arm, toe, foot or leg or the sight of an eye or the hearing of an ear, which partial loss thereof bears to the total loss of a finger, thumb, hand, shoulder, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear; but in no event shall the compensation payable hereunder for such partial loss exceed the compensation payable under the schedule for the total loss of such finger, thumb, hand, arm, toe, foot or leg, or the sight of an eye or the hearing of an ear, exclusive of the healing period. As used in this paragraph (21), "shoulder" means the shoulder joint, shoulder girdle, shoulder musculature or any other shoulder structures.

(22) For traumatic hernia, compensation shall be limited to the compensation under K.S.A. 44-510h and 44-510i, and amendments thereto, compensation for temporary total disability during such period of time as such employee is actually unable to work on account of such hernia, and, in the event such hernia is inoperable, weekly compensation during 12 weeks, except that, in the event that such hernia is operable, the unreasonable refusal of the employee to submit to an operation for surgical repair of such hernia shall deprive such employee of any benefits under the workers compensation act.

(23) Loss of or loss of use of a scheduled member shall be based upon permanent impairment of function to the scheduled member as determined using the fourth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein, until January 1, 2015, but for injuries occurring on and after January 1, 2015, shall be determined by using the sixth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein.

(24) Where an injury results in the loss of or loss of use of more than one scheduled member within a single extremity, the functional impairment attributable to each scheduled member shall be combined pursuant to the fourth edition of the American medical association guides for evaluation of permanent impairment until January 1, 2015, but for injuries occurring on and after January 1, 2015, shall be combined pursuant to the sixth edition of the American medical association guides to the evaluation of permanent impairment, and compensation awarded shall be calculated to the highest scheduled member actually impaired.

(c) Whenever the employee is entitled to compensation for a specific injury under the foregoing schedule, the same shall be exclusive of all other compensation except the benefits provided in K.S.A. 44-510h and 44-510i, and amendments thereto, and no additional compensation shall be allowable or payable for any temporary or permanent, partial or total disability, except that the director, in proper cases, may allow additional compensation during the actual healing period, following amputation. The healing period shall not be more than 10% of the total period allowed for the scheduled injury in question nor in any event for longer than 15 weeks. The return of the employee to the employee's usual occupation shall terminate the healing period.

(d) The amount of compensation for permanent partial disability under this section shall be determined by multiplying the payment rate by the weeks payable. As used in this section:

(1) Payment rate shall be the lesser of: (A) The amount determined by multiplying the average weekly wage of the worker prior to such injury by $66\frac{2}{3}\%$; or (B) the maximum provided in K.S.A. 44-510c, and amendments thereto;

(2) weeks payable shall be determined as follows: (A) Determine the weeks of benefits provided for the injury on schedule; (B) determine the weeks of temporary compensation paid by adding the amounts of temporary total and temporary partial disability compensation paid and dividing the sum by the payment rate above; (C) subtract the weeks of temporary compensation calculated in (d)(2)(B) from the weeks of benefits provided for the injury as determined in (d)(2)(A); and (D) multiply the weeks as determined in (d)(2)(C) by the percentage of permanent partial impairment of function as determined under subsection (b)(23).

The resulting award shall be paid for the number of weeks at the payment rate until fully paid or modified. Under no circumstances shall the period of permanent partial disability run concurrently with the period of temporary total or temporary partial disability.

Sec. 9. K.S.A. 2012 Supp. 44-510e is hereby amended to read as follows: 44-510e. (a) In case of whole body injury resulting in temporary or permanent partial general disability not covered by the schedule in K.S.A. 44-510d, and amendments thereto, the employee shall receive weekly compensation as determined in this subsection during the period of temporary or permanent partial general disability not exceeding a maximum of 415 weeks.

(1) Weekly compensation for temporary partial general disability shall be $66\frac{2}{3}\%$ of the difference between the average weekly wage that the employee was earning prior to the date of injury and the amount the employee is actually earning after such injury in any type of employment. In no case shall such weekly compensation exceed the maximum as provided for in K.S.A. 44-510c, and amendments thereto.

(2) (A) Permanent partial general disability exists when the employee is disabled in a manner which is partial in character and permanent in quality and which is not covered by the schedule in K.S.A. 44-510d, and amendments thereto. Compensation for permanent partial general disability shall also be paid as provided in this section where an injury results in:

(i) The loss of or loss of use of a shoulder, arm, forearm or hand of one upper extremity, combined with the loss of or loss of use of a shoulder, arm, forearm or hand of the other upper extremity;

(ii) the loss of or loss of use of a leg, lower leg or foot of one lower extremity,

combined with the loss of or loss of use of a leg, lower leg or foot of the other lower extremity; or

(iii) the loss of or loss of use of both eyes.

(B) The extent of permanent partial general disability shall be the percentage of functional impairment the employee sustained on account of the injury as established by competent medical evidence and based on the fourth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein, until January 1, 2015, but for injuries occurring on and after January 1, 2015, based on the sixth edition of the American medical association guides to the evaluation of permanent impairment, if the impairment is contained therein.

(C) An employee may be eligible to receive permanent partial general disability compensation in excess of the percentage of functional impairment ("work disability") if:

(i) The percentage of functional impairment determined to be caused solely by the injury exceeds 7½% to the body as a whole or the overall functional impairment is equal to or exceeds 10% to the body as a whole in cases where there is preexisting functional impairment; and

(ii) the employee sustained a post-injury wage loss, as defined in subsection (a) (2)(E) of K.S.A. 44-510e, and amendments thereto, of at least 10% which is directly attributable to the work injury and not to other causes or factors.

In such cases, the extent of work disability is determined by averaging together the percentage of post-injury task loss demonstrated by the employee to be caused by the injury and the percentage of post-injury wage loss demonstrated by the employee to be caused by the injury.

(D) "Task loss" shall mean the percentage to which the employee, in the opinion of a licensed physician, has lost the ability to perform the work tasks that the employee performed in any substantial gainful employment during the five-year period preceding the injury. The permanent restrictions imposed by a licensed physician as a result of the work injury shall be used to determine those work tasks which the employee has lost the ability to perform. If the employee has preexisting permanent restrictions, any work tasks which the employee would have been deemed to have lost the ability to perform, had a task loss analysis been completed prior to the injury at issue, shall be excluded for the purposes of calculating the task loss which is directly attributable to the current injury.

(E) "Wage loss" shall mean the difference between the average weekly wage the employee was earning at the time of the injury and the average weekly wage the employee is capable of earning after the injury. The capability of a worker to earn post-injury wages shall be established based upon a consideration of all factors, including, but not limited to, the injured worker's age, physical capabilities, education and training, prior experience, and availability of jobs in the open labor market. The administrative law judge shall impute an appropriate post-injury average weekly wage based on such factors. Where the employee is engaged in post-injury employment for wages, there shall be a rebuttable presumption that the average weekly wage an injured worker is actually earning constitutes the post-injury average weekly wage that the employee is capable of earning. The presumption may be overcome by competent evidence.

(i) To establish post-injury wage loss, the employee must have the legal capacity to enter into a valid contract of employment. Wage loss caused by voluntary resignation

or termination for cause shall in no way be construed to be caused by the injury.

(ii) The actual or projected weekly value of any employer-paid fringe benefits are to be included as part of the worker's post-injury average weekly wage and shall be added to the wage imputed by the administrative law judge pursuant to K.S.A. 44-510e(a)(2)(E), and amendments thereto.

(iii) The injured worker's refusal of accommodated employment within the worker's medical restrictions as established by the authorized treating physician and at a wage equal to 90% or more of the pre-injury average weekly wage shall result in a rebuttable presumption of no wage loss.

(F) The amount of compensation for whole body injury under this section shall be determined by multiplying the payment rate by the weeks payable. As used in this section: (1) The payment rate shall be the lesser of: (A) The amount determined by multiplying the average weekly wage of the worker prior to such injury by 66 $\frac{2}{3}$ %; or (B) the maximum provided in K.S.A. 44-510c, and amendments thereto; (2) weeks payable shall be determined as follows: (A) Determine the weeks of temporary compensation paid by adding the amounts of temporary total and temporary partial disability compensation paid and dividing the sum by the payment rate above; (B) subtract from 415 weeks the total number of weeks of temporary compensation paid as determined in (F)(2)(A), excluding the first 15 such weeks; and (3) multiply the number of weeks as determined in (F)(2)(B) by the percentage of functional impairment pursuant to subsection (a)(2)(B) or the percentage of work disability pursuant to subsection (a)(2)(C), whichever is applicable.

(3) When an injured worker is eligible to receive an award of work disability, compensation is limited to the value of the work disability as calculated above. In no case shall functional impairment and work disability be awarded together.

The resulting award shall be paid for the number of disability weeks at the payment rate until fully paid or modified. In any case of permanent partial disability under this section, the employee shall be paid compensation for not to exceed 415 weeks following the date of such injury. If there is an award of permanent disability as a result of the compensable injury, there shall be a presumption that disability existed immediately after such injury. Under no circumstances shall the period of permanent partial disability run concurrently with the period of temporary total or temporary partial disability.

(b) If an employee has sustained an injury for which compensation is being paid, and the employee's death is caused by other and independent causes, any payment of compensation already due the employee at the time of death and then unpaid shall be paid to the employee's dependents directly or to the employee's legal representatives if the employee left no dependent, but the liability of the employer for the payments of compensation not yet due at the time of the death of such employee shall cease and be abrogated by the employee's death.

(c) The total amount of compensation that may be allowed or awarded an injured employee for all injuries received in any one accident shall in no event exceed the compensation which would be payable under the workers compensation act for 100% permanent total disability resulting from such accident.

(d) Where a minor employee or a minor employee's dependents are entitled to compensation under the workers compensation act, such compensation shall be exclusive of all other remedies or causes of action for such injury or death, and no claim

or cause of action against the employer shall inure or accrue to or exist in favor of the parent or parents of such minor employee on account of any damage resulting to such parent or parents on account of the loss of earnings or loss of service of such minor employee.

employee's dependents are entitled to compensation under the workers compensation act, such compensation shall be exclusive of all other remedies or causes of action for such injury or death, and no claim or action shall inure, accrue to or exist in favor of the surviving spouse or any relative or next of kin of such employee against such employer on account of any damage resulting to such surviving spouse or any relative or next of kin on account of the loss of earnings, services, or society of such employee or on any other account resulting from or growing out of the injury or death of such employee.

Sec. 10. K.S.A. 44-512 is hereby amended to read as follows: 44-512. Workers compensation payments shall be made at the same time, place and in the same manner as the wages of the worker were payable at the time of the accident, but upon the application of either party the administrative law judge may modify such requirements in a particular case as the administrative law judge deems just, except that: (a) Payments from the workers compensation fund established by K.S.A. 44-566a, and amendments thereto, shall be made in the manner approved by the commissioner of insurance; (b) payments from the state workers compensation self-insurance fund established by K.S.A. 44-575, and amendments thereto, shall be made in a manner approved by the secretary of ~~administration~~ health and environment; and (c) whenever temporary total disability compensation is to be paid under the workers compensation act, payments shall be made only in cash, by check or in the same manner that the employee is normally compensated for salary or wages and not by any other means, except that any such compensation may be paid by warrant of the director of accounts and reports issued for payment of such compensation from the workers compensation fund or the state workers compensation self-insurance fund under the workers compensation act.

Sec. 11. *K.S.A. 2012 Supp. 44-520 is hereby amended to read as follows: 44-520.* (a) (1) Proceedings for compensation under the workers compensation act shall not be maintainable unless notice of injury by accident or repetitive trauma is given to the employer by the earliest of the following dates:

(A) ~~30~~ 20 calendar days from the date of accident or the date of injury by repetitive trauma;

(B) if the employee is working for the employer against whom benefits are being sought and such employee seeks medical treatment for any injury by accident or repetitive trauma, 20 calendar days from the date such medical treatment is sought; or

(C) if the employee no longer works for the employer against whom benefits are being sought, ~~20~~ 10 calendar days after the employee's last day of actual work for the employer.

Notice may be given orally or in writing.

(2) Where notice is provided orally, if the employer has designated an individual or department to whom notice must be given and such designation has been communicated in writing to the employee, notice to any other individual or department shall be insufficient under this section. If the employer has not designated an individual or department to whom notice must be given, notice must be provided to a supervisor or manager.

(3) Where notice is provided in writing, notice must be sent to a supervisor or manager at the employee's principal location of employment. The burden shall be on the employee to prove that such notice was actually received by the employer.

(4) The notice, whether provided orally or in writing, shall include the time, date, place, person injured and particulars of such injury. It must be apparent from the content of the notice that the employee is claiming benefits under the workers compensation act or has suffered a work-related injury.

(b) The notice required by subsection (a) shall be waived if the employee proves that: (1) The employer or the employer's duly authorized agent had actual knowledge of the injury; (2) the employer or the employer's duly authorized agent was unavailable to receive such notice within the applicable period as provided in paragraph (1) of subsection (a); or (3) the employee was physically unable to give such notice.

(c) For the purposes of calculating the notice period proscribed in subsection (a), weekends shall be included.

Sec. 12. K.S.A. 2012 Supp. 44-523 is hereby amended to read as follows: 44-523.

(a) The director, administrative law judge or board shall not be bound by technical rules of procedure, but shall give the parties reasonable opportunity to be heard and to present evidence, ~~insure~~ ensure the employee and the employer an expeditious hearing and act reasonably without partiality.

(b) Whenever a party files an application for hearing pursuant to K.S.A. 44-534, and amendments thereto, the matter shall be assigned to an administrative law judge for hearing and the administrative law judge shall set a terminal date to require the claimant to submit all evidence in support of the claimant's claim no later than 30 days after the first full hearing before the administrative law judge and to require the respondent to submit all evidence in support of the respondent's position no later than 30 days thereafter. An extension of the foregoing time limits shall be granted if all parties agree. An extension of the foregoing time limits may also be granted:

(1) If the employee is being paid temporary or permanent total disability compensation;

(2) for medical examination of the claimant if the party requesting the extension explains in writing to the administrative law judge facts showing that the party made a diligent effort but was unable to have a medical examination conducted prior to the submission of the case by the claimant but then only if the examination appointment was set and notice of the appointment sent prior to submission by the claimant; or

(3) on application for good cause shown.

(c) When all parties have submitted the case to an administrative law judge for an award, the administrative law judge shall issue an award within 30 days. The administrative law judge shall not stay a decision due to the absence of a submission letter. When the award is not entered in 30 days, any party to the action may notify the director that an award is not entered and the director shall assign the matter to an assistant director or to a special administrative law judge who shall enter an award forthwith based on the evidence in the record, or the director, on the director's own motion, may remove the case from the administrative law judge who has not entered an award within 30 days following submission by the party and assign it to an assistant director or to a special administrative law judge for immediate decision based on the evidence in the record.

(d) Not less than 10 days prior to the first full hearing before an administrative

law judge, the administrative law judge shall conduct a prehearing settlement conference for the purpose of obtaining stipulations from the parties, determining the issues and exploring the possibility that the parties may resolve those issues and reach a settlement prior to the first full hearing.

(e) (1) If a party or a party's attorney believes that the administrative law judge to whom a case is assigned cannot afford that party a fair hearing in the case, the party or attorney may file a motion for change of administrative law judge. A party or a party's attorney shall not file more than one motion for change of administrative law judge in a case. The administrative law judge shall promptly hear the motion informally upon reasonable notice to all parties who have appeared in the case. Notwithstanding the provisions of K.S.A. 44-552, and amendments thereto, the administrative law judge shall decide, in the administrative law judge's discretion, whether or not the hearing of such motion shall be taken down by a certified shorthand reporter. If the administrative law judge disqualifies the administrative law judge's self, the case shall be assigned to another administrative law judge by the director. If the administrative law judge refuses to disqualify the administrative law judge's self, the party seeking a change of administrative law judge may, within 10 days of the refusal, file in the district court of the county in which the accident or injury occurred the affidavit provided in subsection (e)(2). If an affidavit is to be filed in the district court, it shall be filed within 10 days an appeal with the workers compensation board.

(2) ~~If a party or a party's attorney files an affidavit alleging any of the grounds specified in subsection (e)(3), the chief judge shall at once determine, or refer the affidavit to another district court judge for prompt determination of, the legal sufficiency of the affidavit. If the affidavit is filed in a district court in which there is no other judge who is qualified to hear the matter, the chief judge shall at once notify the departmental justice for the district and request the appointment of another district judge to determining the legal sufficiency of the affidavit. If the affidavit is found to be legally sufficient, the district court judge shall order the director to assign the case to another administrative law judge or to an assistant director. The party or a party's attorney shall file with the workers compensation board an affidavit alleging one or more of the grounds specified in subsection (e).~~

(3) If a majority of the workers compensation board finds legally sufficient grounds, it shall direct the director to assign the case to another administrative law judge.

~~(4)~~ (4) Grounds which may be alleged as provided in subsection (e)(2) for change of administrative law judge are that:

(A) The administrative law judge has been engaged as counsel in the case prior to the appointment as administrative law judge.

(B) The administrative law judge is otherwise interested in the case.

(C) The administrative law judge is related to either party in the case.

(D) The administrative law judge is a material witness in the case.

(E) The party or party's attorney filing the affidavit has cause to believe and does believe that on account of the personal bias, prejudice or interest of the administrative law judge such party cannot obtain a fair and impartial hearing. Such affidavit shall state the facts and the reasons for the belief that bias, prejudice or an interest exists.

~~(4)~~ (5) In any affidavit filed pursuant to subsection (e)(2), the recital of previous rulings or decisions by the administrative law judge on legal issues or concerning prior

motions for change of administrative law judge filed by counsel or such counsel's law firm, pursuant to this subsection, shall not be deemed legally sufficient for any ~~believe~~ belief that bias or prejudice exists.

(6) Notwithstanding the provisions of K.S.A. 44-556, and amendments thereto, no interlocutory appeal to the court of appeals of the workers compensation appeals board's decision regarding recusal shall be allowed while the resolution of the claim for compensation is pending before an administrative law judge or the workers compensation appeals board.

(f) (1) In any claim that has not proceeded to a regular hearing, a settlement hearing, or an agreed award under the workers compensation act within three years from the date of filing an application for hearing pursuant to K.S.A. 44-534, and amendments thereto, the employer shall be permitted to file with the division an application for dismissal based on lack of prosecution. The matter shall be set for hearing with notice to the claimant's attorney, if the claimant is represented, or to the claimant's last known address. The administrative law judge may grant an extension for good cause shown, which shall be conclusively presumed in the event that the claimant has not reached maximum medical improvement, provided such motion to extend is filed prior to the three year limitation provided for herein. If the claimant cannot establish good cause, the claim shall be dismissed with prejudice by the administrative law judge for lack of prosecution. Such dismissal shall be considered a final disposition at a full hearing on the claim for purposes of employer reimbursement from the fund pursuant to subsection (b) of K.S.A. 44-534a, and amendments thereto.

(2) In any claim which has not proceeded to regular hearing within one year from the date of a preliminary award denying compensability of the claim, the employer shall be permitted to file with the division an application for dismissal based on lack of prosecution. The matter shall be set for hearing with notice to the claimant's attorney, if the claimant is represented, or to the claimant's last known address. Unless the claimant can prove a good faith reason for delay, the claim shall be dismissed with prejudice by the administrative law judge. Such dismissal shall be considered a final disposition at a full hearing on the claim for purposes of employer reimbursement from the fund pursuant to subsection (b) of K.S.A. 44-534a, and amendments thereto.

(3) This section shall not affect any future benefits which have been left open upon proper application by an award or settlement.

Sec. 13. K.S.A. 2012 Supp. 44-532a is hereby amended to read as follows: 44-532a. (a) If an employer has no insurance or has an insufficient self-insurance bond or letter of credit to secure the payment of compensation ~~or has insufficiently funded a self-insurance bond~~, 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.

Sec. 14. K.S.A. 44-557 is hereby amended to read as follows: 44-557. (a) It is hereby made the duty of every employer to make or cause to be made a report to the director of any accident, or claimed or alleged accident, to any employee which occurs in the course of the employee's employment and of which the employer or the employer's supervisor has knowledge, which report shall be made upon a form to be prepared by the director, within 28 days, after the receipt of such knowledge, if the personal injuries which are sustained by such accidents, are sufficient wholly or partially to incapacitate the person injured from labor or service for more than the remainder of the day, shift or turn on which such injuries were sustained.

(b) When such accident has been reported and subsequently such person has died, a supplemental report shall be filed with the director within 28 days after receipt of knowledge of such death, stating such fact and any other facts in connection with such death or as to the dependents of such deceased employee which the director may require. Such report or reports shall not be used nor considered as evidence before the director, any administrative law judge, the board or in any court in this state.

~~(e) No limitation of time in the workers compensation act shall begin to run unless a report of the accident as provided in this section has been filed at the office of the director if the injured employee has given notice of accident as provided by K.S.A. 44-520 and amendments thereto, except that any proceeding for compensation for any such injury or death, where report of the accident has not been filed, must be commenced by serving upon the employer a written claim pursuant to K.S.A. 44-520a and amendments thereto within one year from the date of the accident, suspension of payment of disability compensation, the date of the last medical treatment authorized by the employer, or the death of such employee referred to in K.S.A. 44-520a and amendments thereto.~~

~~(d)~~ (c) The repeated failure of any employer to file or cause to be filed any report required by this section shall be subject to a civil penalty for each violation of not to exceed \$250.

~~(e)~~ (d) Any civil penalty imposed by this section shall be recovered, by the assistant attorney general upon information received from the director, by issuing and serving upon such employer a summary order or statement of the charges with respect thereto and a hearing shall be conducted thereon in accordance with the provisions of the Kansas administrative procedure act, except that, at the discretion of the director, such civil penalties may be assessed as costs in a workers compensation proceeding by an administrative law judge upon a showing by the assistant attorney general that a required report was not filed which pertains to a claim pending before the administrative law judge.

Sec. 15. K.S.A. 2012 Supp. 44-575 is hereby amended to read as follows: 44-575. (a) As used in K.S.A. 44-575 through 44-580, and amendments thereto, "state agency"

means the state, or any department or agency of the state, but not including the Kansas turnpike authority, the university of Kansas hospital authority, any political subdivision of the state or the district court with regard to district court officers or employees whose total salary is payable by counties.

(b) For the purposes of providing for the payment of compensation for claims arising on and after July 1, 1974, and all other amounts required to be paid by any state agency as a self-insured employer under the workers compensation act and any amendments or additions thereto, there is hereby established the state workers compensation self-insurance fund in the state treasury. The name of the state workmen's compensation self-insurance fund is hereby changed to the state workers compensation self-insurance fund. Whenever the state workmen's compensation self-insurance fund is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the state workers compensation self-insurance fund.

(c) The state workers compensation self-insurance fund shall be liable to pay: (1) All compensation for claims arising on and after July 1, 1974, and all other amounts required to be paid by any state agency as a self-insured employer under the workers compensation act and any amendments or additions thereto; (2) the amount that all state agencies are liable to pay of the "carrier's share of expense" of the administration of the office of the director of workers' compensation as provided in K.S.A. 74-712 through 74-719, and amendments thereto, for each fiscal year; (3) all compensation for claims remaining from the self-insurance program which existed prior to July 1, 1974, for institutional employees of the division of mental health and retardation services of the department of social and rehabilitation services; (4) the cost of administering the state workers compensation self-insurance fund including the defense of such fund and any costs assessed to such fund in any proceeding to which it is a party; and (5) the cost of establishing and operating the state workplace health and safety program under subsection (f). For the purposes of K.S.A. 44-575 through 44-580, and amendments thereto, all state agencies are hereby deemed to be a single employer whose liabilities specified in this section are hereby imposed solely upon the state workers compensation self-insurance fund and such employer is hereby declared to be a fully authorized and qualified self-insurer under K.S.A. 44-532, and amendments thereto, but such employer shall not be required to make any reports thereunder.

(d) The secretary of ~~administration~~ health and environment shall administer the state workers compensation self-insurance fund and all payments from such fund shall be upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of ~~administration~~ health and environment or a person or persons designated by the secretary. The director of accounts and reports may issue warrants pursuant to vouchers approved by the secretary for payments from the state workers compensation self-insurance fund notwithstanding the fact that claims for such payments were not submitted or processed for payment from money appropriated for the fiscal year in which the state workers compensation self-insurance fund first became liable to make such payments.

(e) The secretary of ~~administration~~ health and environment shall remit all moneys received by or for the secretary in the capacity as administrator of the state workers compensation self-insurance fund, 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 workers compensation self-insurance fund.

(f) There is hereby established the state workplace health and safety program within the state workers compensation self-insurance program of the department of ~~administration health and environment~~. The secretary of ~~administration health and environment~~ shall implement and ~~administer~~ the division of industrial health and safety of the Kansas department of labor shall assist in ~~administering~~ the state workplace health and safety program for state agencies. The state workplace health and safety program shall include, but not be limited to:

(1) Workplace health and safety hazard surveys in all state agencies, including onsite interviews with employees;

(2) workplace health and safety hazard prevention services, including inspection and consultation services;

(3) procedures for identifying and controlling workplace hazards;

(4) development and dissemination of health and safety informational materials, plans, rules and work procedures; and

(5) training for supervisors and employees in healthful and safe work practices.

Sec. 16. K.S.A. 2012 Supp. 44-577 is hereby amended to read as follows: 44-577.

(a) All claims for compensation under the workers compensation act against any state agency for claims arising on and after July 1, 1974, and claims for compensation remaining from the self-insurance program which existed prior to July 1, 1974, for institutional employees of the division of mental health and retardation services of the department of social and rehabilitation services shall be made against the state workers compensation self-insurance fund. Such claims shall be served upon the secretary of ~~administration health and environment~~ in the secretary's capacity as administrator of the state workers compensation self-insurance fund in the manner provided for claims against other employers under the workers compensation act. The chief attorney for the department of ~~administration health and environment~~, or another attorney of the department of ~~administration health and environment~~ designated by the chief attorney, shall represent and defend the state workers compensation self-insurance fund in all proceedings under the workers compensation act.

(b) The secretary of ~~administration health and environment~~ shall investigate, or cause to be investigated, each claim for compensation against the state workers compensation self-insurance fund. For the purposes of such investigations, the secretary of ~~administration health and environment~~ is authorized to obtain expert medical advice regarding the injuries, occupational diseases and disabilities involved in such claims. If, based upon such investigation and any other available information, the secretary of ~~administration health and environment~~ finds that there is no material dispute as to any issue involved in the claim, that the claim is valid and that the claim should be settled by agreement, the secretary of ~~administration health and environment~~ may proceed to enter into such an agreement with the claimant, for the state workers compensation self-insurance fund. Any such agreement may provide for lump-sum settlements subject to approval by the director and all such agreements shall be filed in the office of the director for approval as provided in K.S.A. 44-527, and amendments thereto. All other claims for compensation against such fund shall be paid in accordance with the workers compensation act pursuant to final awards or orders of an administrative law judge or the board or pursuant to orders and findings of the director under the workers

compensation act.

(c) For purposes of the workers compensation act, a volunteer member of a regional emergency medical response team as provided in K.S.A. 48-928, and amendments thereto, shall be considered a person in the service of the state in connection with authorized training and upon activation for emergency response, except when such duties arise in the course of employment or as a volunteer for an employer other than the state.

Sec. 17. K.S.A. 44-578 is hereby amended to read as follows: 44-578. The secretary of ~~administration~~ health and environment may adopt rules and regulations necessary for the administration of the state workers compensation self-insurance fund, including the processing and settling of claims for compensation made against such fund. ~~Such rules and regulations shall be subject to the provisions of K.S.A. 75-3706 and amendments thereto and shall be adopted in accordance therewith.~~;

And by renumbering sections accordingly;

Also on page 26, in line 12, following "44-510j" by inserting ", 44-512, 44-557 and 44-578"; also in line 12, by striking all following "Supp."; in line 13, by striking all before "44-709" and inserting "2-224a, 44-508, 44-510d, 44-510e, 44-520, 44-523, 44-532a, 44-551, 44-555c, 44-575, 44-577,"; in line 15, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "the"; also in line 1, by striking "and"; by striking all in line 2, in line 3, by striking all before the second semicolon and inserting "; relating to the employment security act; relating to the state workplace health and safety program"; in line 4, following "44-510j" by inserting ", 44-512, 44-557 and 44-578"; also in line 4, by striking all following "Supp."; in line 5, by striking all before "44-709" and inserting "2-224a, 44-508, 44-510d, 44-510e, 44-520, 44-523, 44-532a, 44-551, 44-555c, 44-575, 44-577,";

And your committee on conference recommends the adoption of this report.

MARVIN KLEEB

GENE SUELLENTROP

Conferees on part of House

JULIA LYNN

SUSAN WAGLE

Conferees on part of Senate

On motion of Rep. Kleeb, the conference committee report on **SB 187** was adopted.

On roll call, the vote was: Yeas 89; Nays 31; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan,

Suellentrop, Sutton, Swanson, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Peterson, Ruiz, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 171** 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.

WARD CASSIDY

AMANDA GROSSERODE

VALDENIA C. WINN

Conferees on part of House

STEVE E. ABRAMS

TOM ARPKE

ANTHONY HENSLEY

Conferees on part of Senate

On motion of Rep. Cassidy the conference committee report on **SB 171** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Cassidy, Grosserode and Winn as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2078** 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 11, after "thereto" by inserting ", except for licensing boards under K.S.A. 65-1116 and 65-6129, and amendments thereto"; in line 16, by striking "complete" and inserting "a completed"; in line 31, by striking "a"; also in line 31, by striking "person";

On page 2, in line 26, by striking "complete" and inserting "completed";

On page 3, in line 22, after the period by creating a paragraph;

On page 5, in line 13, by striking "under honorable conditions"; in line 14, by striking "(general) discharge" and inserting "with a general discharge under honorable conditions";

On page 7, in line 7, by striking "under honorable"; in line 8, by striking "conditions (general) discharge"; in line 9, after the stricken material, by inserting "with a general

discharge under honorable conditions";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

ELAINE BOWERS

LAURA KELLY

Conferees on part of Senate

MARIO GOICO

JOE SEIWERT

MELANIE MEIER

Conferees on part of House

On motion of Rep. Goico, the conference committee report on **HB 2078** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2107** 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, in line 28, after "applicant" by inserting ", policy holder"; in line 33, by striking "shall" and inserting "may";

On page 6, in line 23, by striking "shall" and inserting "may"; by striking all in lines 28 through 30 and inserting the following:

"Sec. 6. K.S.A. 2012 Supp. 40-2124 is hereby amended to read as follows: 40-2124. (a) Coverage under the plan shall be subject to both deductible and coinsurance provisions set by the board. The plan shall offer to current participants and new enrollees no fewer than four choices of deductible and copayment options. Coverage

shall contain a coinsurance provision for each service covered by the plan, and such copayment requirement shall not be subject to a stop-loss provision. Such coverage may provide for a percentage or dollar amount of coinsurance reduction at specific thresholds of copayment expenditures by the insured.

(b) Coverage under the plan shall be subject to a maximum lifetime benefit of ~~\$3,000,000~~ \$4,000,000 per covered individual.

(c) Coverage under the plan shall exclude charges or expenses incurred during the first 90 days following the effective date of coverage as to any condition:

(1) Which manifested itself during the six-month period immediately prior to the application for coverage in such manner as would cause an ordinarily prudent person to seek diagnosis, care or treatment; or

(2) for which medical advice, care or treatment was recommended or received in the six-month period immediately prior to the application for coverage. In succeeding years of operation of the plan, coverage of preexisting conditions may be excluded as determined by the board, except that no such exclusion shall exceed 180 calendar days, and no exclusion shall be applied to either a federally defined eligible individual provided that application for coverage is made not later than 63 days following the applicant's most recent prior creditable coverage or an individual under the age of 19 years who is eligible for enrollment in the plan under paragraph (3) of subsection (b) of K.S.A. 40-2122, and amendments thereto. For any individual who is eligible for the credit for health insurance costs under section 35 of the internal revenue code of 1986, the preexisting conditions limitation will not apply whenever such individual has maintained creditable health insurance coverage for an aggregate period of three months, not counting any period prior to a 63-day break in coverage, as of the date on which such individual seeks to enroll in coverage provided by this act.

(d) (1) Benefits otherwise payable under plan coverage shall be reduced by all amounts paid or payable through any other health insurance, or insurance arrangement, and by all hospital and medical expense benefits paid or payable under any workers compensation coverage, automobile medical payment or liability insurance whether provided on the basis of fault or nonfault, and by any hospital or medical benefits paid or payable under or provided pursuant to any state or federal law or program.

(2) The association shall have a cause of action against an eligible person for the recovery of the amount of benefits paid which are not covered expenses. Benefits due from the plan may be reduced or refused as a set-off against any amount recoverable under this section.

Sec. 7. K.S.A. 40-12a08 is hereby amended to read as follows: 40-12a08. No insured shall be liable for any amounts other than the annual premium. The business of the company shall be conducted so as to preclude any distribution of income, profit or property of the company to the individual members thereof except in payment of dividends, debts, claims or indemnities or upon the final dissolution of the company. Dividends may be credited to a member's account and distributed in accordance with a plan adopted by the board of directors.

Sec. 8. K.S.A. 39-719e is hereby amended to read as follows: 39-719e. (a) Upon the request of the secretary ~~of social and rehabilitation services for aging and disability services or the Kansas department of health and environment, or both,~~ each medical benefit plan provider that provides or maintains a medical benefit plan, that provides any hospital or medical services or any other health care or other medical benefits or

services, or both, in Kansas, shall provide the secretary with information, to the extent known by the medical benefit plan provider, identifying each person who is covered by such medical benefit plan or who is otherwise provided any such hospital or medical services or any other such health care or other medical benefits or services, or both, in Kansas under such medical benefit plan. The information shall be provided in such form as is prescribed by the secretary for the purpose of comparing such information with medicaid beneficiary information maintained by the secretary to assist in identifying other health care or medical benefit coverage available to medicaid beneficiaries. The secretary shall reimburse each medical benefit plan provider that provides information under this section for the reasonable cost of providing such information.

(b) All information provided by medical benefit plan providers under this section shall be confidential and shall not be disclosed pursuant to the provisions of the open records act or under the provisions of any other law. Such information may be used solely for the purpose of determining whether medical assistance has been paid or is eligible to be paid by the secretary for which a recovery from a medical benefit plan provider is due under K.S.A. 39-719a, and amendments thereto.

(c) Failure to provide information pursuant to a request by the secretary ~~of social and rehabilitation services for aging and disability services or the Kansas department of health and environment, or both,~~ under this section shall constitute a failure to reply to an inquiry of the commissioner of insurance and shall be subject to the penalties applicable thereto under K.S.A. ~~40-226~~ 40-2,125, and amendments thereto. If a medical plan provider fails to provide information to the secretary ~~of social and rehabilitation services for aging and disability services or the Kansas department of health and environment, or both,~~ pursuant to a request under this section, the secretary shall notify the commissioner of such failure. The commissioner of insurance may pursue each such failure to provide such information in accordance with K.S.A. ~~40-226~~ 40-2,125, and amendments thereto.

(d) As used in this section:

(1) "Medical benefit plan" means any accident and health insurance or any other policy, contract, plan or agreement that provides benefits or services, or both, for any hospital or medical services or any other health care or medical benefits or services, or both, in Kansas, whether or not such benefits or services, or both, are provided pursuant to individual, group, blanket or certificates of accident and sickness insurance, any other insurance providing any accident and health insurance, or any other policy, contract, plan or agreement providing any such benefits or services, or both, in Kansas, and includes any policy, plan, contract or agreement offered in Kansas pursuant to the federal employee retirement income security act of 1974 (ERISA) that provides any hospital or medical services or any other health care or medical benefits or services, or both, in Kansas; and

(2) "medical benefit plan provider" means any insurance company, nonprofit medical and hospital service corporation, health maintenance organization, fraternal benefit society, municipal group-funded pool, group-funded workers compensation pool or any other entity providing or maintaining a medical benefit plan.

(e) No medicaid provider who rendered professional services to a medicaid beneficiary and was paid by the secretary for such services shall be liable to the medical benefit plan provider for any amounts recovered pursuant to this act or pursuant to the

provisions of K.S.A. 39-719a, and amendments thereto.

Sec. 9. K.S.A. 40-1612 is hereby amended to read as follows: 40-1612. In addition to the provisions of this article, the provisions set forth in the following sections of the Kansas Statutes Annotated, and amendments thereto, which govern other types of insurance companies shall apply to reciprocals to the extent that such provisions do not conflict with the provisions of this article: Sections 40-208, 40-209, 40-214, 40-215, 40-216, 40-218, 40-220, 40-221a, 40-222, 40-223, 40-224, 40-225, 40-229, 40-229a, 40-231, 40-233, 40-234, 40-234a, 40-235, 40-236, 40-237, 40-238, 40-239, 40-240, 40-241, 40-242, 40-244, 40-245, 40-246, except as to contracts written through traveling salaried representatives to whom no commissions are paid, 40-246a, 40-247, 40-248, 40-249, 40-250, 40-251, 40-253, ~~40-254~~, 40-256, 40-281, 40-2,125, 40-2,126, 40-2,127, 40-2,128, 40-2,156, 40-2,156a, 40-2,157, 40-2,159, 40-952, 40-2001, 40-2002, 40-2003, 40-2004, 40-2005, 40-2006 and 40-2404 and article 2a of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, and any other provision of law pertaining to insurance which specifically refers to reciprocals.

Sec. 10. K.S.A. 40-19a10 is hereby amended to read as follows: 40-19a10. (a) Such corporations shall be subject to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, ~~40-226~~, 40-229, 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, ~~40-254~~, 40-2,102, 40-2a01 et seq., 40-2215 to 40-2220, inclusive, 40-2253, 40-2401 to 40-2421, inclusive, 40-3301 to 40-3313, inclusive, K.S.A. 40-2,125, 40-2,154 and 40-2,161, and amendments thereto, except as the context otherwise requires, and shall not be subject to any other provisions of the insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a corporation to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social security act of 1965 are or may be available for the same accident or illness.

(c) Violation of subsection (b) shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 11. K.S.A. 2012 Supp. 40-19c09 is hereby amended to read as follows: 40-19c09. (a) Corporations organized under the nonprofit medical and hospital service corporation act shall be subject to the provisions of the Kansas general corporation code, articles 60 to 74, inclusive, of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, applicable to nonprofit corporations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, ~~40-226~~, 40-229, 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, ~~40-254~~, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-2,116, 40-2,117, 40-2,125, 40-2,153, 40-2,154, 40-2,160, 40-2,161, 40-2,163 through 40-2,170, inclusive, 40-2a01 et seq., 40-2111 to 40-2116, inclusive, 40-2215 to 40-2220, inclusive, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-2250, 40-2251, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, and 40-3301 to 40-3313, inclusive, K.S.A. 2012 Supp. 40-2,105a, 40-2,105b, 40-2,184 and 40-2,190, and amendments thereto, except as the context otherwise requires, and shall not be subject to any other provisions of the insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a corporation to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social

security act of 1965 are or may be available for the same accident or illness.

(c) Violation of subsection (b) shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

New Sec. 12. (a) This section shall apply to all insurers transacting business in the state offering individual or group sickness and accident insurance. Such insurers also may offer a mandate lite health benefit plan. A group or individual carrier may also offer a mandate lite health benefit plan.

(b) A mandate lite health benefit plan means an individual or group sickness and accident insurance plan that does not contain one or more of the Kansas-mandated benefits other than K.S.A. 40-2,100 and 40-2,166, and amendments thereto.

(c) The mandate lite health benefit plan shall contain the definitions of group or individual sickness and accident insurance with respect to major medical benefits and standard provisions or rights of coverage.

(d) The mandate lite health benefit plan may be issued on a group or individual basis.

(e) The insured shall be provided with a written notice that one or more of the state-mandated benefits are not included in the mandate lite health benefit plan.

(1) The mandate lite health benefit plan shall specify the health services that are included and shall specifically list the health services that will be limited or not covered from the list of state-mandated coverage other than K.S.A. 40-2,100 and 40-2,166, and amendments thereto.

(2) The insurer is required to retain a signed copy of this notice on file as a part of the original application as evidence that the insured has acknowledged such notice.

(3) Such signed copy may be in original form, electronic file form or in any other reproducible file form as may be consistent with the insurer's method of retaining application copies.

(f) The definition of preexisting conditions may not be more restrictive than the definition of preexisting conditions normally used for the corresponding regular individual or group insurance contracts.

(g) The mandate lite health benefit plan may offer:

(1) Various optional combinations of coverage for generic, formulary and non-formulary drugs.

(2) The mandate lite health benefit plan may offer drug discount plans.

(h) A mandate lite health benefit plan may charge additional premiums for each optional benefit offered. Optional benefits may include mandated benefits that are not included in the mandate lite health benefit plan.

(i) This section shall be known and may be cited as the mandate lite health benefit plan act.

New Sec. 13. (a) Any portion of the health insurance premiums paid by consumers that are in fact passed through as commissions shall not be considered a part of administrative expenses and shall be excluded from all determinations of the medical loss ratio calculations when totaling the ratio of premiums paid by a consumer used for claims versus administrative expenses for a policy. Any portion of premiums identified as commissions must be paid to a nonemployee in order to be excluded. Any portion of the premiums retained by the insurance company or its employees must be considered as a part of the calculation of the medical loss ratio as administrative related income.

(b) For the purposes of this section, "commission" means commissions to agents,

consultation fees, counseling fees, consultant fees, and similar advising or sales compensation to a nonemployee licensed agent.

New Sec. 14. (a) For the purposes of this section:

(1) "Specially designed policy" means an insurance policy that by design may not meet all or part of the definitions of a group or individual sickness and accident insurance policy and includes temporary sickness and accident insurance on a short-term basis.

(2) "Short-term" means an insurance policy period of six months or 12 months, based upon policy design, which offers not more than one renewal period with or without a requirement of medical re-underwriting or medical requalification.

(A) Because a short-term policy addresses the special needs for temporary coverage, a short-term policy is not subject to continuation provisions of the health insurance portability and accountability act of 1996 (public law 104-191).

(B) Because a short-term policy addresses the special needs for temporary coverage, a short-term policy shall be exempt from medical loss ratio calculations associated with individual sickness and accident insurance issued within the state unless such calculation excludes any monthly administration fee associated with the sale of such policy.

(b) Specially designed policies shall include policies designed to provide sickness and accident insurance for specific coverage of benefits or services that may be excluded as benefits or services cited under section 12, and amendments thereto. Specially designed policies may include the following stand-alone policies and coverages:

- (1) Chiropractic plans;
- (2) acupuncture coverage plans;
- (3) holistic medical treatment plans;
- (4) podiatrist plans;
- (5) pharmacy plans;
- (6) psychiatric plans;
- (7) allergy plans; and
- (8) such other stand-alone plans or combinations of plans of accepted traditional and nontraditional medical practice as shall be allowable for exclusion from group or individual plans under section 12, and amendments thereto.

(c) No specially designed policy shall be deemed to be included under the definition of group sickness and accident insurance, including short-term, limited-duration health insurance, issued or renewed inside or outside of this state and covering persons residing in this state.

Sec. 15. K.S.A. 39-719e, 40-254, 40-2,112, 40-12a08, 40-1612 and 40-19a10 and K.S.A. 2012 Supp. 40-19c09 and 40-2124 are hereby repealed.

Sec. 16. 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 the semicolon; in line 2, by striking all before "enacting"; in line 3, by striking "allowing"; by striking all in line 4; in line 5, by striking all before the period and inserting "relating to the Kansas uninsurable health plan act; relating to updating certain statutory references; relating to mandate lite health benefit plans; amending K.S.A. 39-719e, 40-2,112, 40-12a08, 40-1612 and 40-19a10 and K.S.A. 2012 Supp. 40-19c09 and 40-2124 and repealing the

existing sections; also repealing K.S.A. 40-254";

And your committee on conference recommends the adoption of this report.

ROBERT OLSON

JEFF LONGBINE

TOM HAWK

Conferees on part of Senate

CLARK SHULTZ

PHIL HERMANSON

GAIL FINNEY

Conferees on part of House

On motion of Rep. Hermanson to adopt the conference committee report on **HB 2107**, Rep. Ward made a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

Roll call was demanded.

On roll call, the vote was: Yeas 68; Nays 51; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Bideau, Bollier, Bradford, Bridges, Burroughs, Campbell, Carlin, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Ewy, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Huebert, Jennings, Johnson, Kelley, Kuether, Lane, Lusk, Meier, Menghini, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Schroeder, Schwartz, Siegfried, Sloan, Sloop, Swanson, Todd, Trimmer, Victors, Ward, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Becker, Boldra, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, DeGraaf, Edwards, Esau, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Hutton, Jones, Kahrs, Kelly, Kinzer, Kleebl, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Peck, Powell, Rhoades, Rothlisberg, Ryckman Jr., Schwab, Seiwert, Shultz, Suellentrop, Sutton, Vickrey, Waymaster.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Thimesch, Tietze.

The motion of Rep. Ward prevailed.

Speaker pro tem Mast thereupon appointed Reps. Shultz, Hermanson and Finney as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2109** 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 5 through 31;

On page 2, by striking all in lines 1 through 7; and inserting the following:

"Section 1. (a) Any school district that provides public access to a computer shall

implement and enforce technology protection measures to ensure that no minor has access to visual depictions that are child pornography, harmful to minors or obscene. Each board of education shall adopt policies for the enforcement of this subsection. Such policies and any standards or rules promulgated pursuant to such policies shall be made available to the public.

(b) (1) Any public library that provides public access to a computer shall implement and enforce technology protection measures to:

(A) Ensure that no minor has access to visual depictions that are child pornography, harmful to minors or obscene; and

(B) ensure that no person has access to visual depictions that are child pornography or obscene.

(2) An employee of a public library may disable a technology protection measure if:

(A) Requested to do so by a library patron who is not a minor; and

(B) the technology protection measure is disabled only to enable access for legitimate research or other lawful purpose.

(c) The state librarian shall establish standards and promulgate rules and regulations for the enforcement of the provisions of subsection (b). Such standards and rules and regulations shall be distributed to the public libraries in this state, posted in a conspicuous place in such public libraries and made available to the public.

(d) The governing body of each public library shall adopt a policy to implement and enforce the provisions of subsection (b) in accordance with the standards and rules and regulations described in subsection (c). Such policy shall be reviewed at least once every three years by such governing body and shall:

(1) State that the purpose of the policy is to restrict access to those materials that are child pornography, harmful to minors or obscene;

(2) provide how such public library will meet the requirements of this section;

(3) require such public library to inform its patrons of the standards and rules and regulations that library employees follow to enforce the provisions of this section; and

(4) require such public library to inform its patrons that procedures for the submission of complaints about the standards and rules and regulations, the enforcement thereof, or observed patron behavior, have been adopted and are available for review.

(e) Any school district or public library that is in compliance with the provisions of this section shall not be liable for any damages arising out of or related to a minor gaining access to visual depictions that are child pornography, harmful to minors or obscene through the use of a computer that is owned or controlled by such school district or public library.

(f) As used in this section:

(1) "Board of education" means the board of education of any school district;

(2) "child pornography" means a visual depiction of a minor shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person;

(3) "harmful to minors" shall have the same meaning as that term is defined in K.S.A. 2012 Supp. 21-6402, and amendments thereto;

(4) "minor" means any person under 18 years of age;

(5) "obscene" shall have the same meaning as that term is defined in K.S.A. 2012

Supp. 21-6401, and amendments thereto;

(6) "public library" means any library established pursuant to article 12 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and any other library which serves the general public and is funded in whole or in part from moneys derived from tax levies;

(7) "school district" means any public school district organized under the laws of this state;

(8) "technology protection measure" means any computer technology or other process that blocks or filters online access to visual depictions; and

(9) "visual depiction" shall have the same meaning as that term is defined in K.S.A. 2012 Supp. 21-5510, and amendments thereto.

(g) This act shall be known and may be cited as the Kansas children's internet protection act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all following "ACT"; in line 2, by striking all before the period and inserting "creating the Kansas children's internet protection act";

And your committee on conference recommends the adoption of this report.

STEVE E. ABRAMS

TOM ARPKE

ANTHONY HENSLEY

Conferees on part of Senate

WARD CASSIDY

AMANDA GROSSERODE

VALDENIA C. WINN

Conferees on part of House

On motion of Rep. Cassidy, the conference committee report on **HB 2109** was adopted.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Kuether, Lane.

Present but not voting: None.

Absent or not voting: Finch, Hill, Osterman, Peterson, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2201** 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 3, in line 20, by striking "January"; also in line 20, by striking "16, 2015" and inserting "December 31, 2014";

On page 29, in line 15, by striking ", except that the total KUSF distributions"; by striking all in lines 16 through 20; in line 21, by striking "majeure or natural disaster as determined by the commission"; in line 33, after "carrier" by inserting ", except that such limitation on KUSF support shall not preclude recovery of reductions in intrastate access revenue pursuant to subsection (c) of K.S.A. 66-2005, and amendments thereto"; following line 33, by inserting:

"(3) Notwithstanding any other provision of law, the total KUSF distributions made to all local exchange carriers operating under traditional rate of return regulation pursuant to subsection (b) of K.S.A. 66-2005, and amendments thereto, shall not exceed an annual \$30,000,000 cap. A waiver of the cap shall be granted based on a demonstration by a carrier that such carrier would experience significant hardship due to force majeure or natural disaster as determined by the commission.";

And your committee on conference recommends the adoption of this report.

PAT APPLE
FORREST J. KNOX
MARC FRANCISCO

Conferees on part of Senate

JOE SEIWERT
RANDY GARBER
ANNIE KUETHER

Conferees on part of House

On motion of Rep. Seiwert, the conference committee report on **HB 2201** was adopted.

On roll call, the vote was: Yeas 99; Nays 20; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Corbet, Crum, Davis, DeGraaf, Dillmore, Doll, Dove, Edwards, Esau, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Highland, Hildabrand, Hill, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jones, Kahrs, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Todd, Vickrey, Victors,

Ward, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Bideau, Carpenter, Concannon, Dierks, Edmonds, Ewy, Hibbard, Hineman, Jennings, Johnson, Kelley, Kuether, Mast, Moxley, Read, Schwartz, Swanson, Trimmer, Waymaster.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Thimesch, Tietze.

EXPLANATION OF VOTE

MR. SPEAKER: I voted NO on **HB 2201**. My concern is the impact it will have on rural areas that have poor cell phone service.

The KUSF is the lifeline to land lines in rural areas and should be kept intact until technology of wireless service improves. – LARRY HIBBARD

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2319** 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 3, in line 5, after "education" by inserting ", the open meetings act as provided in K.S.A. 75-4317 et seq., and amendments thereto, and the open records act as provided in K.S.A. 45-215 et seq., and amendments thereto";

And your committee on conference recommends the adoption of this report.

STEVE E. ABRAMS

TOM ARPKE

ANTHONY HENSLEY

Conferees on part of Senate

KASHA KELLEY

WARD CASSIDY

ED TRIMMER

Conferees on part of House

On motion of Rep. Kelley, the conference committee report on **HB 2319** was adopted.

On roll call, the vote was: Yeas 71; Nays 47; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Barker, Becker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bideau, Bollier, Bridges, Burroughs, Campbell, Carlin,

Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hermanson, Hibbard, Hill, Hineman, Houston, Jennings, Kuetner, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Rooker, Ruiz, Sloan, Sloop, Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Schwab, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2363** 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:

"New Section 1. (a) Subject to existing water rights and the principle of beneficial use, the chief engineer may grant, upon application made therefor, limited transfer permits to authorize the use of up to 4,000,000 gallons from an existing water right. The term of such limited transfer permit will be limited to a single calendar year. Each application submitted for a limited transfer permit shall be on a form prescribed by the chief engineer and accompanied by an application fee of \$200.

(b) (1) If the base water right is groundwater, the use of water can be transferred to another well within the same source of supply within two miles.

(2) If the base water right is surface water, the use can be transferred to another surface water use within the same surface water system.

(c) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section. Such rules and regulations shall require that there is no increase in consumptive use enabled by the transfer permit, prescribe necessary recordkeeping and reporting requirements, prevent impairment of existing rights and address any other matter deemed necessary by the chief engineer to protect the public interest.

(d) Nothing in this section shall be deemed to vest in the holder of any permit granted pursuant to provisions of this section any permanent right to appropriate water except as is provided by such permit.

(e) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

(f) This section shall be part of and supplemental to the Kansas water appropriation act.";

On page 9, in line 1, by striking "obstructions" and inserting "debris"; in line 4, by striking "scalp or extract"; in line 5, by striking "streambeds" and inserting "change or diminish the course, current or cross section of any stream"; following line 33, by inserting:

"Sec. 9. K.S.A. 2012 Supp. 82a-1901 is hereby amended to read as follows: 82a-1901. (a) Orders of the chief engineer of the division of water resources of the department of agriculture pursuant to K.S.A. 42-703, 42-722, 42-722a, 82a-708b, 82a-711, 82a-718 and 82a-1038 and K.S.A. 2012 Supp. 82a-1041, and amendments thereto,

and failure of the chief engineer to act pursuant to K.S.A. 82a-714, and amendments thereto, shall be subject to review in accordance with the provisions of the Kansas administrative procedure act.

Such review shall be conducted by the secretary of agriculture or a presiding officer from the office of administrative hearings within the department of administration. The secretary of agriculture shall not have the authority otherwise to designate a presiding officer to conduct such review unless at the party's request pursuant to K.S.A. 75-37,121, and amendments thereto.

(b) The order of the secretary of agriculture or the administrative law judge or presiding officer upon review pursuant to subsection (a) shall be a final order under the Kansas administrative procedure act. Such order shall not be subject to reconsideration pursuant to K.S.A. 77-529, and amendments thereto, and shall be subject to review in accordance with the Kansas judicial review act.

(c) This act shall not affect any administrative proceeding pending before the chief engineer of the division of water resources of the department of agriculture, the secretary of agriculture or any administrative hearing officer on July 1, 1999, and such matter shall proceed as though no change in the law had been made with regard to such proceeding.";

And by redesignating sections accordingly;

Also on page 9, in line 34, by striking all after "K.S.A."; in line 35, by striking all before "are" and inserting "24-105, 24-107, 82a-307, 82a-312, 82a-313 and 82a-314 and K.S.A. 2012 Supp. 24-106, 74-509, 82a-301, 82a-302, 82a-303b, 82a-307a, 82a-326, 82a-326a, 82-734, 82a-735 and 82a-1901";

On page 1, in the title, in line 4, by striking the first "and" and inserting a comma; also in line 4, after "82a-734" by inserting "and 82a-1901"; in line 5, after "sections" by inserting "; also repealing K.S.A. 24-105, 24-107, 82a-312, 82a-313 and 82a-314 and K.S.A. 2012 Supp. 24-106, 74-509, 82a-307a, 82a-326a and 82a-735";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL

DAN KERSCHEN

MARCI FRANCISCO

Conferees on part of Senate

SHARON SCHWARTZ

KYLE HOFFMAN

J. PONKA-WE VICTORS

Conferees on part of House

On motion of Rep. Schwartz, the conference committee report on **HB 2363** was adopted.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2234** 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.

TY MASTERSON

JIM DENNING

LAURA KELLY

Conferees on part of Senate

RICHARD J. PROEHL

RONALD RYCKMAN, SR.

EMILY PERRY

Conferees on part of House

On motion of Rep. Proehl the conference committee report on **HB 2234** to agree to disagree, was adopted.

Speaker pro tem Mast thereupon appointed Reps. Proehl, Ryckman, Sr. and Perry as second conferees on the part of the House.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **Sub SB 57**.

The Senate adopts the Conference Committee report on **SB 96**.

The Senate adopts the Conference Committee report on **SB 164**.

The Senate adopts the Conference Committee report on **SB 168**.

The Senate adopts the Conference Committee report on **HB 2164**.

The Senate adopts the Conference Committee report on **S Sub HB 2199**.

The Senate adopts the Conference Committee report to agree to disagree on **SB 171**, and has appointed Senators Abrams, Arpke and Smith as second conferees on the part of the Senate.

On motion of Rep. Vickrey, the House recessed until 2:30 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Johnson moved that the House reconsider its action in not adopting the Conference Committee Report on **HB 2107** and a new conference committee be appointed.

The motion prevailed.

The question reverted back to the substitute motion of Rep. Ward to not adopt the conference committee report and that a new conference committee be appointed. The motion did not prevail.

The question then reverted back to the original motion of Rep. Hermanson to adopt the conference committee report (see pages 677-683 in this Journal).

Rep. Pauls offered a motion to allow non-carriers of the bill consent to speak more than twice. The motion did not prevail.

On motion of Rep. Hermanson, the conference committee report on **HB 2107** was adopted.

On roll call, the vote was: Yeas 69; Nays 50; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Barker, Becker, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeyes, Corbet, Crum, DeGraaf, Doll, Dove, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Suellentrop, Sutton, Todd, Vickrey, Weber.

Nays: Alford, Ballard, Bideau, Bollier, Bridges, Burroughs, Carlin, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Edmonds, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Rooker, Rubin, Ruiz, Schroeder, Siegfried, Sloan, Sloop, Swanson, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Thimesch, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2034** 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 2034, as follows:

On page 1, by striking all in lines 6 and 7 and inserting:

"New Section 1. The attorney general, in consultation with other appropriate state

agencies, is authorized to coordinate training regarding human trafficking for law enforcement agencies throughout Kansas.

New Sec. 2. (a) The human trafficking advisory board established by the attorney general is hereby designated the official human trafficking advisory board for the state of Kansas.

- (b) The board shall include representatives from:
- (1) The office of the governor;
 - (2) the attorney general's office;
 - (3) the department of labor;
 - (4) the department for children and families;
 - (5) the department of health and environment;
 - (6) the juvenile justice authority;
 - (7) the Kansas association of chiefs of police;
 - (8) the Kansas sheriffs' association;
 - (9) the highway patrol;
 - (10) the Kansas bureau of investigation;
 - (11) local law enforcement agencies;
 - (12) the legislature;
 - (13) nongovernmental organizations focused on human trafficking issues, organizations representing diverse communities disproportionately affected by human trafficking and organizations focused on child services and runaway services;
 - (14) academic researchers who are dedicated to the subject of human trafficking;
 - (15) any other federal, state, or local government entity deemed necessary by the attorney general; and
 - (16) any other private sector or nongovernmental organization deemed necessary by the attorney general.

New Sec. 3. There is hereby established in the state treasury the human trafficking victim assistance fund. All moneys credited to such fund shall be used to pay for the training authorized by section 1, and amendments thereto, and to support care, treatment and other services for victims of human trafficking and commercial sexual exploitation of a child. 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 attorney general or the attorney general's designee.

New Sec. 4. (a) Commercial sexual exploitation of a child is knowingly:

(1) Giving, receiving, offering or agreeing to give, or offering or agreeing to receive anything of value to perform any of the following acts:

(A) Procuring, recruiting, inducing, soliciting, hiring or otherwise obtaining any person younger than 18 years of age to engage in sexual intercourse, sodomy or manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another; or

(B) Procuring, recruiting, inducing, soliciting, hiring or otherwise obtaining a patron where there is an exchange of value, for any person younger than 18 years of age to engage in sexual intercourse, sodomy or manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the patron, the offender or another;

(2) establishing, owning, maintaining or managing any property, whether real or personal, where sexual relations are being sold or offered for sale by a person younger

than 18 years of age, or participating in the establishment, ownership, maintenance or management thereof;

(3) permitting any property, whether real or personal, partially or wholly owned or controlled by the defendant to be used as a place where sexual relations are being sold or offered for sale by a person who is younger than 18 years of age; or

(4) procuring transportation for, paying for the transportation of or transporting any person younger than 18 years of age within this state with the intent of causing, assisting or promoting that person's engaging in selling sexual relations.

(b)(1) Commercial sexual exploitation of a child is a:

(A) Severity level 5, person felony, except as provided in subsections (b)(1)(B) and (b)(2); and

(B) severity level 2, person felony when committed by a person who has, prior to the commission of the crime, been convicted of a violation of this section, except as provided in subsection (b)(2).

(2) Commercial sexual exploitation of a child or attempt, conspiracy or criminal solicitation to commit commercial sexual exploitation of a child is an off-grid person felony when the offender is 18 years of age or older and the victim is less than 14 years of age.

(3) In addition to any other sentence imposed, a person convicted under subsection (b)(1)(A) shall be fined not less than \$2,500 nor more than \$5,000. In addition to any other sentence imposed, a person convicted under subsection (b)(1)(B) or subsection (b)(2) shall be fined not less than \$5,000. All fines collected pursuant to this section shall be remitted to the human trafficking victim assistance fund created by section 3, and amendments thereto.

(4) In addition to any other sentence imposed, for any conviction under this section, the court may order the person convicted to enter into and complete a suitable educational and treatment program regarding commercial sexual exploitation of a child.

(c) If the offender is 18 years of age or older and the victim is less than 14 years of age, the provisions of:

(1) Subsection (c) of K.S.A. 2012 Supp. 21-5301, and amendments thereto, shall not apply to a violation of attempting to commit the crime of commercial sexual exploitation of a child pursuant to this section;

(2) subsection (c) of K.S.A. 2012 Supp. 21-5302, and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of commercial sexual exploitation of a child pursuant to this section; and

(3) subsection (d) of K.S.A. 2012 Supp. 21-5303, and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of commercial sexual exploitation of a child pursuant to this section.

(d) This section shall be part of and supplemental to the Kansas criminal code.

New Sec. 5. (a) Whenever a child is in custody, as defined in K.S.A. 2012 Supp. 38-2202, and amendments thereto, and such child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto, the court shall refer the child to the secretary of the department for children and families for an assessment to determine safety, placement and treatment

needs for the child. The secretary shall use a research-based assessment tool to assess such needs and shall make appropriate recommendations to the court.

(b) When any law enforcement officer takes into custody any child as provided in subsection (b)(3) of K.S.A. 2012 Supp. 38-2231, and amendments thereto, the law enforcement officer shall contact the department for children and families to begin an assessment to determine safety, placement and treatment needs for the child. The secretary of the department for children and families shall use a rapid response team to begin such assessment for appropriate and timely placement.

(c) This section shall be part of and supplemental to the revised Kansas code for care of children.

(d) This section shall take effect on and after January 1, 2014.

New Sec. 6. (a) A staff secure facility shall:

(1) Not include construction features designed to physically restrict the movements and activities of residents, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic environment for the residents;

(2) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations;

(3) rely on locked entrances and delayed-exit mechanisms to secure the facility, and implement reasonable rules restricting entrance to and egress from the facility;

(4) implement written policies and procedures for 24-hour-a-day staff observation of all facility entrances and exits;

(5) implement written policies and procedures for the screening and searching of both residents and visitors;

(6) implement written policies and procedures for knowing the whereabouts of all residents at all times and for handling runaways and unauthorized absences; and

(7) implement written policies and procedures for determining when the movements and activities of individual residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision.

(b) A staff secure facility shall provide the following services to children placed in such facility:

(1) Case management;

(2) life skills training;

(3) health care;

(4) mental health counseling;

(5) substance abuse screening and treatment; and

(6) any other appropriate services.

(c) Service providers in a staff secure facility shall be trained to counsel and assist victims of human trafficking and sexual exploitation.

(d) The person responsible for 24-hour-a-day staff observation of all facility entrances and exits shall be a retired or off-duty law enforcement officer.

(1) As used in this subsection, "retired law enforcement officer" means any former member of any duly organized federal, state, county or municipal law enforcement organization who by virtue of office or public employment was vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extended to all crimes or was limited to specific crimes.

(2) As used in this subsection, "off-duty law enforcement officer" means any off-

duty member of any duly organized federal, state, county or municipal law enforcement organization 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.

(e) If the staff secure facility is on the same premises as that of another licensed facility, the living unit of the staff secure facility shall be maintained in a separate, self-contained unit. No staff secure facility shall be in a city or county jail.

(f) The secretary of health and environment, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2014.

(g) This section shall be part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 7. (a) A notice offering help to victims of human trafficking shall be accessible on the official website of the attorney general, the official website of the department for children and families and the official website of the department of labor, and may be posted in a prominent and accessible location in workplaces.

(b) The notice shall provide such information as the attorney general determines appropriate to help and support victims of human trafficking, including, but not limited to, information regarding the national human trafficking resource center (NHTRC) hotline as follows:

"If you or someone you know is being forced to engage in any activity and cannot leave — whether it is commercial sex, housework, farm work or any other activity — call the toll-free National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. The toll-free hotline is:

- Available 24 hours a day, 7 days a week
- Operated by a nonprofit, nongovernmental organization
- Anonymous and confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information."

(c) The notice described in this section shall be made available in English, Spanish, and, if requested by an employer, another language.

(d) The secretary of labor, in consultation with the attorney general, shall develop and implement an education plan to raise awareness among Kansas employers about the problem of human trafficking, about the hotline described in this section, and about other resources that may be available to employers, employees, and potential victims of human trafficking. On or before February 1, 2014, the secretary shall report to the standing committees on judiciary in the senate and the house of representatives, respectively, on the progress achieved in developing and implementing the notice requirement and education plan required by this section.

Sec. 8. K.S.A. 2012 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 K.S.A. 2012 Supp. 8-1025, 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 K.S.A. 2012 Supp. 8-1025 or 21-6421, 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 K.S.A. 2012 Supp. 12-4120, and amendments thereto.

Sec. 9. K.S.A. 2012 Supp. 12-4120 is hereby amended to read as follows: 12-4120. (a) 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 K.S.A. 2012 Supp. 8-1025, 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. 2012 Supp. 75-52,113, and amendments thereto.

(b) On and after July 1, 2013, the amount of \$2,500 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 2012 Supp. 21-6421, 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 human trafficking victim assistance fund established by section 3, and amendments thereto.

Sec. 10. K.S.A. 2012 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in ~~subsection (b), (c) and (d)~~ subsections (b), (c), (d) and (e), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and

related arrest records if three or more years have elapsed since the person:

- (A) Satisfied the sentence imposed; or
 - (B) was discharged from probation, parole or a suspended sentence.
- (2) Except as provided in ~~subsection (b), (c) and (d)~~ subsections (b), (c), (d) and (e), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of this state may petition the 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) Any person convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 21-3512, prior to its repeal, or a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

~~(b)~~ (c) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2012 Supp. 21-5406, and amendments thereto;

(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;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications;

(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;

(7) a violation of 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)~~ (d) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 8-1567, and amendments thereto.

~~(d)~~ (e) There shall be no expungement of convictions or diversions for a violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

~~(e)~~ (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 prosecuting attorney and the arresting law enforcement agency. The petition shall state the:

- ~~(1)~~ (A) ~~The~~ Defendant's full name;
- ~~(2)~~ (B) ~~the~~ full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- ~~(3)~~ (C) ~~the~~ defendant's sex, race and date of birth;
- ~~(4)~~ (D) ~~the~~ crime for which the defendant was arrested, convicted or diverted;
- ~~(5)~~ (E) ~~the~~ date of the defendant's arrest, conviction or diversion; and
- ~~(6)~~ (F) ~~the~~ identity of the convicting court, arresting law enforcement agency or diverting authority.

(2) A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section.

(3) 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 prisoner review board.

~~(f)~~ (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.

~~(g)~~ (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 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 for children and families;

(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. 2012 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(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.

~~(h)~~ (i) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, 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)~~ (j) Subject to the disclosures required pursuant to subsection (g), 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 an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

~~(k)~~ (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~~ the department for children and families, 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 for children and families~~ for children and families 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 prosecuting attorney, 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 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-state gaming compact;
- (12) 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;

(13) 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;

(14) the Kansas sentencing commission;

(15) 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; or

(16) 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.

Sec. 11. K.S.A. 2012 Supp. 21-5301 is hereby amended to read as follows: 21-5301. (a) An attempt is any overt act toward the perpetration of a crime done by a person who intends to commit such crime but fails in the perpetration thereof or is prevented or intercepted in executing such crime.

(b) It shall not be a defense to a charge of attempt that the circumstances under which the act was performed or the means employed or the act itself were such that the commission of the crime was not possible.

(c) (1) An attempt to commit an off-grid felony shall be ranked at nondrug severity level 1. An attempt to commit any other nondrug felony shall be ranked on the nondrug scale at two severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for an attempt to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of attempting to commit the crime of:

(A) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2012 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2012 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in subsection (a)(3) of K.S.A. 2012 Supp. 21-5503, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, if the offender is 18 years of age or older;

(G) ~~promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the offender is 18 years of age or older and the prostitute is less than 14 years of age~~ commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age; or

(H) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the offender is 18 years of age or older

and the child is less than 14 years of age.

(d) (1) An attempt to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

(2) The provisions of this subsection shall not apply to a violation of attempting to commit a violation of K.S.A. 2012 Supp. 21-5703, and amendments thereto.

(e) An attempt to commit a class A person misdemeanor is a class B person misdemeanor. An attempt to commit a class A nonperson misdemeanor is a class B nonperson misdemeanor.

(f) An attempt to commit a class B or C misdemeanor is a class C misdemeanor.

Sec. 12. K.S.A. 2012 Supp. 21-5302 is hereby amended to read as follows: 21-5302. (a) A conspiracy is an agreement with another person to commit a crime or to assist in committing a crime. No person may be convicted of a conspiracy unless an overt act in furtherance of such conspiracy is alleged and proved to have been committed by such person or by a co-conspirator.

(b) It is immaterial to the criminal liability of a person charged with conspiracy that any other person with whom the defendant conspired lacked the actual intent to commit the underlying crime provided that the defendant believed the other person did have the actual intent to commit the underlying crime.

(c) It shall be a defense to a charge of conspiracy that the accused voluntarily and in good faith withdrew from the conspiracy, and communicated the fact of such withdrawal to one or more of the accused person's co-conspirators, before any overt act in furtherance of the conspiracy was committed by the accused or by a co-conspirator.

(d) (1) Conspiracy to commit an off-grid felony shall be ranked at nondrug severity level 2. Conspiracy to commit any other nondrug felony shall be ranked on the nondrug scale at two severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for conspiracy to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of conspiracy to commit the crime of:

(A) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2012 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2012 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in subsection (a)(3) of K.S.A. 2012 Supp. 21-5503, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, if the offender is 18 years of age or older;

~~(G) promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the offender is 18 years of age or older and the prostitute is less than 14 years of age.~~ commercial sexual exploitation of a child, as defined in section 4,

and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age; or

(H) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age.

(e) Conspiracy to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

(f) A conspiracy to commit a misdemeanor is a class C misdemeanor.

Sec. 13. K.S.A. 2012 Supp. 21-5303 is hereby amended to read as follows: 21-5303. (a) Criminal solicitation is commanding, encouraging or requesting another person to commit a felony, attempt to commit a felony or aid and abet in the commission or attempted commission of a felony for the purpose of promoting or facilitating the felony.

(b) It is immaterial under subsection (a) that the actor fails to communicate with the person solicited to commit a felony if the person's conduct was designed to effect a communication.

(c) It is an affirmative defense that the actor, after soliciting another person to commit a felony, persuaded that person not to do so or otherwise prevented the commission of the felony, under circumstances manifesting a complete and voluntary renunciation of the actor's criminal purposes.

(d) (1) Criminal solicitation to commit an off-grid felony shall be ranked at nondrug severity level 3. Criminal solicitation to commit any other nondrug felony shall be ranked on the nondrug scale at three severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for criminal solicitation to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of criminal solicitation to commit the crime of:

(A) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2012 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2012 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in subsection (a)(3) of K.S.A. 2012 Supp. 21-5503, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, if the offender is 18 years of age or older;

(G) ~~promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the offender is 18 years of age or older and the prostitute is less than 14 years of age~~ commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age; or

(H) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age.

(e) Criminal solicitation to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

Sec. 14. K.S.A. 2012 Supp. 21-5401 is hereby amended to read as follows: 21-5401. (a) Capital murder is the:

(1) Intentional and premeditated killing of any person in the commission of kidnapping, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto, or aggravated kidnapping, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto, when the kidnapping or aggravated kidnapping was committed with the intent to hold such person for ransom;

(2) intentional and premeditated killing of any person pursuant to a contract or agreement to kill such person or being a party to the contract or agreement pursuant to which such person is killed;

(3) intentional and premeditated killing of any person by an inmate or prisoner confined in a state correctional institution, community correctional institution or jail or while in the custody of an officer or employee of a state correctional institution, community correctional institution or jail;

(4) intentional and premeditated killing of the victim of one of the following crimes in the commission of, or subsequent to, such crime: Rape, as defined in K.S.A. 2012 Supp. 21-5503, and amendments thereto, criminal sodomy, as defined in subsections (a) (3) or (a)(4) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, or aggravated criminal sodomy, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, or any attempt thereof, as defined in K.S.A. 2012 Supp. 21-5301, and amendments thereto;

(5) intentional and premeditated killing of a law enforcement officer;

(6) intentional and premeditated killing of more than one person as a part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct; or

(7) intentional and premeditated killing of a child under the age of 14 in the commission of kidnapping, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto, or aggravated kidnapping, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto, when the kidnapping or aggravated kidnapping was committed with intent to commit a sex offense upon or with the child or with intent that the child commit or submit to a sex offense.

(b) For purposes of this section, "sex offense" means rape, as defined in K.S.A. 2012 Supp. 21-5503, and amendments thereto, aggravated indecent liberties with a child, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, aggravated criminal sodomy, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, prostitution selling sexual relations, as defined in K.S.A. 2012 Supp. 21-6419, and amendments thereto, promoting prostitution the sale of sexual relations, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, or sexual exploitation of a child, as defined in K.S.A. 2012 Supp. 21-5510, and amendments thereto.

(c) Capital murder is an off-grid person felony.

Sec. 15. K.S.A. 2012 Supp. 21-5502 is hereby amended to read as follows: 21-5502. (a) The provisions of this section shall apply only in a prosecution for:

- (1) Rape, as defined ~~by~~ in K.S.A. 2012 Supp. 21-5503, and amendments thereto;
- (2) indecent liberties with a child, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;
- (3) aggravated indecent liberties with a child, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;
- (4) criminal sodomy, as defined in subsections (a)(3) and (a)(4) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;
- (5) aggravated criminal sodomy, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;
- (6) aggravated indecent solicitation of a child, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;
- (7) sexual exploitation of a child, as defined in K.S.A. 2012 Supp. 21-5510, and amendments thereto;
- (8) aggravated sexual battery, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;
- (9) incest, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5604, and amendments thereto;
- (10) aggravated incest, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments thereto;
- (11) indecent solicitation of a child, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;
- (12) aggravated assault, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5412, and amendments thereto, with intent to commit any crime specified above;
- (13) sexual battery, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;
- (14) unlawful voluntary sexual relations, as defined in K.S.A. 2012 Supp. 21-5507, and amendments thereto;
- (15) aggravated human trafficking, as defined in subsections ~~(b)(1)(B) and (b)(2) and (b)(4)~~ of K.S.A. 2012 Supp. 21-5426, and amendments thereto;
- (16) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto;
- ~~(16)~~ (17) electronic solicitation, as defined in K.S.A. 2012 Supp. 21-5509, and amendments thereto; or
- ~~(17)~~ (18) attempt, as defined in K.S.A. 2012 Supp. 21-5301, and amendments thereto, or conspiracy, as defined in K.S.A. 2012 Supp. 21-5302, and amendments thereto, to commit any crime specified above.

(b) Except as provided in subsection (c), in any prosecution to which this section applies, evidence of the complaining witness' previous sexual conduct with any person including the defendant shall not be admissible, and no reference shall be made thereto in any proceeding before the court, except under the following conditions: The defendant shall make a written motion to the court to admit evidence or testimony concerning the previous sexual conduct of the complaining witness. The motion shall be made at least seven days before the commencement of the proceeding unless that requirement is waived by the court. The motion shall state the nature of such evidence

or testimony and its relevancy and shall be accompanied by an affidavit in which an offer of proof of the previous sexual conduct of the complaining witness is stated. The motion, affidavits and any supporting or responding documents of the motion shall not be made available for examination without a written order of the court except that such motion, affidavits and supporting and responding documents or testimony when requested shall be made available to the defendant or the defendant's counsel and to the prosecutor. The defendant, defendant's counsel and prosecutor shall be prohibited from disclosing any matters relating to the motion, affidavits and any supporting or responding documents of the motion. The court shall conduct a hearing on the motion in camera. At the conclusion of the hearing, if the court finds that evidence proposed to be offered by the defendant regarding the previous sexual conduct of the complaining witness is relevant and is not otherwise inadmissible as evidence, the court may make an order stating what evidence may be introduced by the defendant and the nature of the questions to be permitted. The defendant may then offer evidence and question witnesses in accordance with the order of the court.

(c) In any prosecution for a crime designated in subsection (a), the prosecutor may introduce evidence concerning any previous sexual conduct of the complaining witness, and the complaining witness may testify as to any such previous sexual conduct. If such evidence or testimony is introduced, the defendant may cross-examine the witness who gives such testimony and offer relevant evidence limited specifically to the rebuttal of such evidence or testimony introduced by the prosecutor or given by the complaining witness.

(d) As used in this section, "complaining witness" means the alleged victim of any crime designated in subsection (a), the prosecution of which is subject to this section.

Sec. 16. K.S.A. 2012 Supp. 21-6419 is hereby amended to read as follows: 21-6419. (a) ~~Prostitution~~ Selling sexual relations is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:

- (1) Sexual intercourse;
- (2) sodomy; or
- (3) manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.

(b) ~~Prostitution~~ Selling sexual relations is a class B nonperson misdemeanor.

(c) It shall be an affirmative defense to any prosecution under this section that the defendant committed the violation of this section because such defendant was subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto.

Sec. 17. K.S.A. 2012 Supp. 21-6420 is hereby amended to read as follows: 21-6420. (a) Promoting ~~prostitution~~ the sale of sexual relations is knowingly:

(1) Establishing, owning, maintaining or managing ~~a house of prostitution~~ any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older, or participating in the establishment, ownership, maintenance or management thereof;

(2) permitting any ~~place~~ property, whether real or personal, partially or wholly owned or controlled by the defendant to be used as a ~~house of prostitution~~ place where sexual relations are being sold or offered for sale by a person who is 18 years of age or

older;

(3) procuring a prostitute for a house of prostitution person selling sexual relations who is 18 years of age or older for a place where sexual relations are being sold or offered for sale;

(4) inducing another to become a prostitute who is 18 years of age or older to become a person who sells sexual relations;

(5) soliciting a patron for a prostitute or for a house of prostitution a person 18 years of age or older who is selling sexual relations or for a place where sexual relations are being sold or offered for sale;

(6) procuring a prostitute person 18 years of age or older who is selling sexual relations for a patron;

(7) procuring transportation for, paying for the transportation of, or transporting a person 18 years of age or older within this state with the intention of assisting or promoting that person's engaging in prostitution the sale of sexual relations; or

(8) being employed to perform any act which is prohibited by this section.

(b) (1) Promoting prostitution the sale of sexual relations is a:

(A) Class A person misdemeanor when the prostitute is 16 or more years of age Severity level 9, person felony, except as provided in subsection (b)(1)(B); and

(B) severity level 7, person felony when the prostitute is 16 or more years of age and committed by a person who has, prior to the commission of the crime, been convicted of promoting prostitution a violation of this section, or any prior version of this section; and

(C) severity level 6, person felony when the prostitute is under 16 years of age, except as provided in subsection (b)(2).

(b) (2) Promoting prostitution or attempt, conspiracy or criminal solicitation to commit promoting prostitution is an off-grid person felony when the offender is 18 years of age or older and the prostitute is less than 14 years of age.

(c) If the offender is 18 years of age or older and the victim is less than 14 years of age, the provisions of:

(1) Subsection (c) of K.S.A. 2012 Supp. 21-5301, and amendments thereto, shall not apply to a violation of attempting to commit the crime of promoting prostitution as described in subsection (b)(2);

(2) subsection (c) of K.S.A. 2012 Supp. 21-5302, and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of promoting prostitution as described in subsection (b)(2); and

(3) subsection (d) of K.S.A. 2012 Supp. 21-5303, and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of promoting prostitution as described in subsection (b)(2).

(2) In addition to any other sentence imposed, a person convicted under subsection (b)(1)(A) shall be fined not less than \$2,500 nor more than \$5,000. In addition to any other sentence imposed, a person convicted under subsection (b)(1)(B) shall be fined not less than \$5,000. All fines collected pursuant to this section shall be remitted to the human trafficking victim assistance fund created by section 3, and amendments thereto.

Sec. 18. K.S.A. 2012 Supp. 21-6421 is hereby amended to read as follows: 21-6421. (a) Patronizing a prostitute Buying sexual relations is knowingly:

(1) Entering or remaining in a house of prostitution place where sexual relations are being sold or offered for sale with intent to engage in manual or other bodily contact

stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act with a prostitute person selling sexual relations who is 18 years of age or older; or

(2) hiring a prostitute person selling sexual relations who is 18 years of age or older to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act.

(b) Patronizing a prostitute is a class C misdemeanor

(b)(1) Buying sexual relations is a:

(A) Class A person misdemeanor, except as provided in subsection (b)(1)(B); and

(B) severity level 9, person felony when committed by a person who has, prior to the commission of the crime, been convicted of a violation of this section, or any prior version of this section.

(2) In addition to any other sentence imposed, a person convicted under subsection (b)(1)(A) shall be fined \$2,500. In addition to any other sentence imposed, a person convicted under subsection (b)(1)(B) shall be fined not less than \$5,000. All fines collected pursuant to this section shall be remitted to the human trafficking victim assistance fund created by section 3, and amendments thereto.

(3) In addition to any other sentence imposed, for any conviction under this section, the court may order the person convicted to enter into and complete a suitable educational and treatment program regarding commercial sexual exploitation.

(c) (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.

Sec. 19. K.S.A. 2012 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d) ~~and~~, (e) ~~and~~ (f), 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 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) ~~and~~ (f), 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) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2012 Supp. 21-6419, and amendments

thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or 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; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

~~(b)~~ (c) Except as provided in subsections ~~(e)~~, ~~(d)~~ and (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed; or 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 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. 2012 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.

~~(e)~~ (d) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed; or 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.

~~(4)~~ (e) 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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)~~ (f) 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)~~ (g) (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 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 prisoner review board.

~~(g)~~ (h) 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)~~ (i) 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. 2012 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~~ for children and families;

(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. 2012 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.

(+) (j) 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) ~~(k)~~ Subject to the disclosures required pursuant to subsection ~~(h)~~ ~~(i)~~, 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)~~ ~~(l)~~ 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~~ the department for children and families, 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 for children and families~~ 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.

~~(h)(m)~~ The provisions of subsection ~~(k)(17)-(l)(17)~~ shall apply to records created prior to, on and after July 1, 2011.

Sec. 20. K.S.A. 2012 Supp. 21-6626 is hereby amended to read as follows: 21-6626. (a) An aggravated habitual sex offender shall be sentenced to imprisonment for life without the possibility of parole. Such offender shall spend the remainder of the offender's natural life incarcerated and in the custody of the secretary of corrections. An offender who is sentenced to imprisonment for life without the possibility of parole shall not be eligible for parole, probation, assignment to a community correctional services program, conditional release, postrelease supervision, or suspension, modification or reduction of sentence.

(b) Upon sentencing a defendant to imprisonment for life without the possibility of parole, the court shall commit the defendant to the custody of the secretary of corrections and the court shall state in the sentencing order of the judgment form or journal entry, whichever is delivered with the defendant to the correctional institution,

that the defendant has been sentenced to imprisonment for life without the possibility of parole.

(c) As used in this section:

(1) "Aggravated habitual sex offender" means a person who, on and after July 1, 2006: (A) Has been convicted in this state of a sexually violent crime, as described in subsection (c)(2)(A) through ~~(c)(2)(H)~~ or (c)(2)(J) or (c)(2)(L); and (B) prior to the conviction of the felony under subparagraph (A), has been convicted of two or more sexually violent crimes;

(2) "Sexually violent crime" means:

(A) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(B) 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. 2012 Supp. 21-5506, and amendments thereto;

(C) 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. 2012 Supp. 21-5504, and amendments thereto;

(D) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(E) 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. 2012 Supp. 21-5508, and amendments thereto;

(F) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto;

(G) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(H) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2012 Supp. 21-5604, and amendments thereto;

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(J) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto;

~~(K)~~ any federal or other state conviction for a felony offense that under the laws of this state would be a sexually violent crime as defined in this section;

~~(L)~~ 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. 2012 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section; or

~~(M)~~ any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "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.

Sec. 21. K.S.A. 2012 Supp. 21-6627 is hereby amended to read as follows: 21-6627. (a) (1) Except as provided in subsection (b) or (d), a defendant who is 18 years of

age or older and is convicted of the following crimes committed on or after July 1, 2006, shall be sentenced to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 25 years unless the court determines that the defendant should be sentenced as determined in subsection (a)(2):

(A) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the victim is less than 14 years of age;

(B) rape, as defined in subsection (a)(3) of K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(C) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(D) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(E) ~~promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the prostitute is less than 14 years of age~~ commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, if the victim is less than 14 years of age;

(F) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the child is less than 14 years of age; and

(G) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2012 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of an offense defined in subsections (a)(1)(A) through (a)(1)(F).

(2) The provision of subsection (a)(1) requiring a mandatory minimum term of imprisonment of not less than 25 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2012 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, is subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds 300 months. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(b) (1) On and after July 1, 2006, if a defendant who is 18 years of age or older is convicted of a crime listed in subsection (a)(1) and such defendant has previously been convicted of a crime listed in subsection (a)(1), a crime in effect at any time prior to July 1, 2011, which is substantially the same as a crime listed in subsection (a)(1) or a crime under a law of another jurisdiction which is substantially the same as a crime listed in subsection (a)(1), the court shall sentence the defendant to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 40 years. The provisions of this paragraph shall not apply to a crime committed under K.S.A. 2012 Supp. 21-5507, and amendments thereto, or a crime under a law of another jurisdiction which is substantially the same as K.S.A. 2012 Supp. 21-5507, and amendments thereto.

(2) The provision of subsection (b)(1) requiring a mandatory minimum term of imprisonment of not less than 40 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2012 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, is

subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds 480 months. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(c) When a person is sentenced pursuant to subsection (a) or (b), such person shall be sentenced to a mandatory minimum term of imprisonment of not less than 25 years, 40 years or be sentenced as determined in subsection (a)(2) or subsection (b)(2), whichever is applicable, and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, a person sentenced pursuant to this section shall not be eligible for parole prior to serving such mandatory term of imprisonment, and such imprisonment shall not be reduced by the application of good time credits.

(d) (1) On or after July 1, 2006, for a first time conviction of an offense listed in subsection (a)(1), the sentencing judge shall impose the mandatory minimum term of imprisonment provided by subsection (a), unless the judge finds substantial and compelling reasons, following a review of mitigating circumstances, to impose a departure. If the sentencing judge departs from such mandatory minimum term of imprisonment, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. The departure sentence shall be the sentence pursuant to the revised Kansas sentencing guidelines act, article 68 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, and, subject to the provisions of K.S.A. 2012 Supp. 21-6818, and amendments thereto, no sentence of a mandatory minimum term of imprisonment shall be imposed hereunder.

(2) As used in this subsection, "mitigating circumstances" shall include, but are not limited to, the following:

- (A) The defendant has no significant history of prior criminal activity;
- (B) the crime was committed while the defendant was under the influence of extreme mental or emotional disturbances;
- (C) the victim was an accomplice in the crime committed by another person, and the defendant's participation was relatively minor;
- (D) the defendant acted under extreme distress or under the substantial domination of another person;
- (E) the capacity of the defendant to appreciate the criminality of the defendant's conduct or to conform the defendant's conduct to the requirements of law was substantially impaired; and
- (F) the age of the defendant at the time of the crime.

(e) The provisions of K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2012 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, shall not apply to any defendant sentenced pursuant to this section.

Sec. 22. K.S.A. 2012 Supp. 21-6806 is hereby amended to read as follows: 21-6806. (a) Sentences of imprisonment shall represent the time a person shall actually serve, subject to a reduction of the primary sentence for good time as authorized by K.S.A. 2012 Supp. 21-6821, and amendments thereto.

(b) The sentencing court shall pronounce sentence in all felony cases.

(c) Violations of K.S.A. 2012 Supp. 21-5401, 21-5402, 21-5421, 21-5422 and 21-5901, and amendments thereto, are off-grid crimes for the purpose of sentencing. Except as otherwise provided by K.S.A. 2012 Supp. 21-6617, 21-6618, 21-6619, 21-

6622, 21-6624, 21-6625, 21-6628 and 21-6629, and amendments thereto, the sentence shall be imprisonment for life and shall not be subject to statutory provisions for suspended sentence, community service or probation.

(d) As identified in K.S.A. 2012 Supp. 21-5426, 21-5503, 21-5504, 21-5506, 21-5510 and ~~21-6420~~ section 4, and amendments thereto, if the offender is 18 years of age or older and the victim is under 14 years of age, such violations are off-grid crimes for the purposes of sentencing. Except as provided in K.S.A. 2012 Supp. 21-6626, and amendments thereto, the sentence shall be imprisonment for life pursuant to K.S.A. 2012 Supp. 21-6627, and amendments thereto.

Sec. 23. K.S.A. 2012 Supp. 21-6815 is hereby amended to read as follows: 21-6815. (a) Except as provided in subsection (b), the sentencing judge shall impose the presumptive sentence provided by the sentencing guidelines unless the judge finds substantial and compelling reasons to impose a departure sentence. If the sentencing judge departs from the presumptive sentence, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure.

(b) Subject to the provisions of subsection (b) of K.S.A. 2012 Supp. 21-6817, and amendments thereto, any fact that would increase the penalty for a crime beyond the statutory maximum, other than a prior conviction, shall be submitted to a jury and proved beyond a reasonable doubt.

(c) (1) Subject to the provisions of subsections (c)(3) and (e), the following nonexclusive list of mitigating factors may be considered in determining whether substantial and compelling reasons for a departure exist:

(A) The victim was an aggressor or participant in the criminal conduct associated with the crime of conviction.

(B) The offender played a minor or passive role in the crime or participated under circumstances of duress or compulsion. This factor may be considered when it is not sufficient as a complete defense.

(C) The offender, because of physical or mental impairment, lacked substantial capacity for judgment when the offense was committed. The voluntary use of intoxicants, drugs or alcohol does not fall within the purview of this factor.

(D) The defendant, or the defendant's children, suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(E) The degree of harm or loss attributed to the current crime of conviction was significantly less than typical for such an offense.

(2) Subject to the provisions of subsection (c)(3), the following nonexclusive list of aggravating factors may be considered in determining whether substantial and compelling reasons for departure exist:

(A) The victim was particularly vulnerable due to age, infirmity, or reduced physical or mental capacity which was known or should have been known to the offender.

(B) The defendant's conduct during the commission of the current offense manifested excessive brutality to the victim in a manner not normally present in that offense.

(C) The offense was motivated entirely or in part by the race, color, religion, ethnicity, national origin or sexual orientation of the victim or the offense was motivated by the defendant's belief or perception, entirely or in part, of the race, color,

religion, ethnicity, national origin or sexual orientation of the victim whether or not the defendant's belief or perception was correct.

(D) The offense involved a fiduciary relationship which existed between the defendant and the victim.

(E) The defendant, 18 or more years of age, employed, hired, used, persuaded, induced, enticed or coerced any individual under 16 years of age to:

- (i) Commit any person felony;
- (ii) assist in avoiding detection or apprehension for commission of any person felony; or
- (iii) attempt, conspire or solicit, as defined in K.S.A. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, to commit any person felony.

That the defendant did not know the age of the individual under 16 years of age shall not be a consideration.

(F) The defendant's current crime of conviction is a crime of extreme sexual violence and the defendant is a predatory sex offender. As used in this subsection:

- (i) "Crime of extreme sexual violence" is a felony limited to the following:
 - (a) A crime involving a nonconsensual act of sexual intercourse or sodomy with any person;
 - (b) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is 14 or more years of age but less than 16 years of age and with whom a relationship has been established or promoted for the primary purpose of victimization; ~~or~~
 - (c) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is less than 14 years of age; ~~;~~
 - (d) aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the victim is less than 14 years of age; or
 - (e) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, if the victim is less than 14 years of age.

(ii) "Predatory sex offender" is an offender who has been convicted of a crime of extreme sexual violence as the current crime of conviction and who:

(a) Has one or more prior convictions of any crimes of extreme sexual violence. Any prior conviction used to establish the defendant as a predatory sex offender pursuant to this subsection shall also be counted in determining the criminal history category; or

(b) suffers from a mental condition or personality disorder which makes the offender likely to engage in additional acts constituting crimes of extreme sexual violence.

(iii) "Mental condition or personality disorder" means an emotional, mental or physical illness, disease, abnormality, disorder, pathology or condition which motivates the person, affects the predisposition or desires of the person, or interferes with the capacity of the person to control impulses to commit crimes of extreme sexual violence.

(G) The defendant was incarcerated during the commission of the offense.

(H) The crime involved two or more participants in the criminal conduct, and the defendant played a major role in the crime as the organizer, leader, recruiter, manager or supervisor.

In determining whether aggravating factors exist as provided in this section, the court shall review the victim impact statement.

(3) If a factual aspect of a crime is a statutory element of the crime or is used to subclassify the crime on the crime severity scale, that aspect of the current crime of conviction may be used as an aggravating or mitigating factor only if the criminal conduct constituting that aspect of the current crime of conviction is significantly different from the usual criminal conduct captured by the aspect of the crime.

(d) In determining aggravating or mitigating circumstances, the court shall consider:

- (1) Any evidence received during the proceeding;
- (2) the presentence report;
- (3) written briefs and oral arguments of either the state or counsel for the defendant; and
- (4) any other evidence relevant to such aggravating or mitigating circumstances that the court finds trustworthy and reliable.

(e) Upon motion of the prosecutor stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who is alleged to have committed an offense, the court may consider such mitigation in determining whether substantial and compelling reasons for a departure exist. In considering this mitigating factor, the court may consider the following:

- (1) The court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the prosecutor's evaluation of the assistance rendered;
- (2) the truthfulness, completeness and reliability of any information or testimony provided by the defendant;
- (3) the nature and extent of the defendant's assistance;
- (4) any injury suffered, or any danger or risk of injury to the defendant or the defendant's family resulting from such assistance; and
- (5) the timeliness of the defendant's assistance.

Sec. 24. K.S.A. 2012 Supp. 22-2515 is hereby amended to read as follows: 22-2515. (a) An ex parte order authorizing the interception of a wire, oral or electronic communication may be issued by a judge of competent jurisdiction. The attorney general, district attorney or county attorney may make an application to any judge of competent jurisdiction for an order authorizing the interception of a wire, oral or electronic communication by an investigative or law enforcement officer and agency having responsibility for the investigation of the offense regarding which the application is made, when such interception may provide evidence of the commission of any of the following offenses:

- (1) Any crime directly and immediately affecting the safety of a human life which is a felony;
- (2) murder;
- (3) kidnapping;
- (4) treason;
- (5) sedition;
- (6) racketeering;
- (7) commercial bribery;
- (8) robbery;
- (9) theft, if the offense would constitute a felony;
- (10) bribery;

(11) any felony violation of K.S.A. 2012 Supp. 21-5701 through 21-5717, and amendments thereto;

(12) commercial gambling;

(13) sports bribery;

(14) tampering with a sports contest;

(15) aggravated escape;

(16) aggravated failure to appear;

(17) arson;

(18) terrorism;

(19) illegal use of weapons of mass destruction; ~~or~~

(20) human trafficking or aggravated human trafficking;

(21) sexual exploitation of a child;

(22) commercial sexual exploitation of a child;

(23) buying sexual relations, promoting the sale of sexual relations or selling sexual relations; or

(20)-(24) any conspiracy to commit any of the foregoing offenses.

(b) Any investigative or law enforcement officer who, by any means authorized by this act or by chapter 119 of title 18 of the United States code, has obtained knowledge of the contents of any wire, oral or electronic communication, or evidence derived therefrom, may disclose such contents to another investigative or law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.

(c) Any investigative or law enforcement officer who, by any means authorized by this act or by chapter 119 of title 18 of the United States code, has obtained knowledge of the contents of any wire, oral or electronic communication, or evidence derived therefrom, may use such contents to the extent such use is appropriate to the proper performance of such officer's official duties.

(d) Any person who has received, by any means authorized by this act or by chapter 119 of title 18 of the United States code or by a like statute of any other state, any information concerning a wire, oral or electronic communication, or evidence derived therefrom, intercepted in accordance with the provisions of this act, may disclose the contents of such communication or such derivative evidence while giving testimony under oath or affirmation in any criminal proceeding in any court, or before any grand jury, of this state or of the United States or of any other state.

(e) No otherwise privileged wire, oral or electronic communication intercepted in accordance with, or in violation of, the provisions of this act or of chapter 119 of title 18 of the United States code shall lose its privileged character.

(f) When an investigative or law enforcement officer, while engaged in intercepting wire, oral or electronic communications in the manner authorized by this act, intercepts wire, oral or electronic communications relating to offenses other than those specified in the order authorizing the interception of the wire, oral or electronic communication, the contents thereof and evidence derived therefrom may be disclosed or used as provided in subsections (b) and (c) of this section. Such contents and evidence derived therefrom may be used under subsection (d) of this section when authorized or approved by a judge of competent jurisdiction, where such judge finds on subsequent application, made as soon as practicable, that the contents were otherwise intercepted in accordance with the provisions of this act, or with chapter 119 of title 18 of the United

States code.

Sec. 25. K.S.A. 22-2530 is hereby amended to read as follows: 22-2530. If a search warrant is executed which authorizes a search of real property based upon an alleged offense involving gambling, obscenity, ~~prostitution, the sale of sexual relations,~~ controlled substances or liquor, a copy of the warrant shall be delivered to the last known address of the owner of the property within two business days, excluding Saturdays, Sundays and legal holidays, after execution of the warrant if such address is different from the address of the property for which the warrant was issued.

Sec. 26. K.S.A. 2012 Supp. 22-3601 is hereby amended to read as follows: 22-3601. (a) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken to the court of appeals, except in those cases reviewable by law in the district court or in which a direct appeal to the supreme court is required. Whenever an interlocutory appeal is permitted in a criminal case in the district court, such appeal shall be taken to the court of appeals.

(b) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken directly to the supreme court in the following cases:

(1) Any case in which a statute of this state or of the United States has been held unconstitutional;

(2) any case in which the defendant has been convicted of a class A felony;

(3) any case in which a maximum sentence of life imprisonment has been imposed, unless the maximum sentence has been imposed pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2012 Supp. 21-6627, and amendments thereto; and

(4) except as provided further, any case in which the crime was committed on or after July 1, 1993, and the defendant has been convicted of an off-grid crime. The provisions of this paragraph shall not apply to any case in which the off-grid crime was:

(A) Aggravated human trafficking, subsection (c)(2)(B) of K.S.A. 2012 Supp. 21-5426, and amendments thereto;

(B) rape, subsection (b)(2)(B) of K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(C) aggravated criminal sodomy, subsection (c)(2)(B)(ii) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(D) aggravated indecent liberties with a child, subsection (c)(2)(C)(ii) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(E) sexual exploitation of a child, subsection (b)(2)(B) of K.S.A. 2012 Supp. 21-5510, and amendments thereto;

(F) ~~promoting prostitution, subsection (b)(4) of K.S.A. 2012 Supp. 21-6420, and amendments thereto~~ commercial sexual exploitation of a child, subsection (b)(2) of section 4, and amendments thereto; or

(G) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2012 Supp. 21-5301, 21-5302 or 21-3503, and amendments thereto, of any such felony.

Sec. 27. K.S.A. 2012 Supp. 22-3717 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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 levels 1 through 4 crimes, 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. 2012 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, 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. 2012 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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 subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 Supp. 21-5604, and amendments thereto; ~~or~~

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if committed

in whole or in part for the purpose of the sexual gratification of the defendant or another:

(L) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto; or

~~(K)~~ (M) 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. 2012 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, 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 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 inmate's 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 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 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 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 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. 2012 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 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. 2012 Supp. 21-6604, and amendments thereto, the board 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 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. 2012 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. 28. K.S.A. 2012 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 or the sale of sexual relations;
- (f) ~~habitually promoting prostitution-~~ commercial sexual exploitation of a child;
- (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. 2012 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.

Sec. 29. K.S.A. 2012 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in the Kansas offender registration act, unless the context otherwise requires:

(a) "Offender" means:

(1) A sex offender;

(2) a violent offender;

(3) a drug offender;

(4) any person who has been required to register under out of state law or is otherwise required to be registered; and

(5) any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act.

(b) "Sex offender" includes any person who:

(1) On or after April 14, 1994, is convicted of any sexually violent crime;

(2) On or after April 14, 1994, is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3) has been determined to be a sexually violent predator;

(4) on or after May 29, 1997, is convicted of any of the following crimes when one of the parties involved is less than 18 years of age:

(A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2012 Supp. 21-5511, and amendments thereto;

(B) criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-3505, prior to its

repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2012 Supp. 21-6420, ~~and amendments thereto~~ prior to its amendment by this act on July 1, 2013;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2012 Supp. 21-6421, ~~and amendments thereto~~ prior to its amendment by this act on July 1, 2013; or

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto;

(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. 2012 Supp. 21-5505, and amendments thereto;

(6) is convicted of 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. 2012 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of an offense defined in this subsection; or

(7) has been convicted of an offense that is comparable to any crime defined in this subsection, or any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection.

(c) "Sexually violent crime" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(4) 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. 2012 Supp. 21-5504, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5605, and amendments thereto;

(11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, and K.S.A. 2012 Supp. 21-5509, and amendments thereto, committed on or after April 17, 2008;

(12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

(13) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal,

or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another:

(14) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto;

~~(13)~~ (15) any conviction or adjudication for an offense that is comparable to a sexually violent crime as defined in this subsection, or any out of state conviction or adjudication for an offense that under the laws of this state would be a sexually violent crime as defined in this subsection;

~~(14)~~ (16) 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. 2012 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually violent crime, as defined in this subsection; or

~~(15)~~ (17) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim. As used in this paragraph, "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.

(d) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(e) "Violent offender" includes any person who:

(1) On or after May 29, 1997, is convicted of any of the following crimes:

(A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

(E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2012 Supp. 21-5405, and amendments thereto;

(F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(H) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age; or

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if not committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(2) on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person

felony;

(3) has been convicted of an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(4) is convicted of 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(f) "Drug offender" means any person who has been convicted of:

(1) Unlawful manufacture or attempting such of any controlled substance or controlled substance analog as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2012 Supp. 21-5703, and amendments thereto;

(2) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance as defined in subsection (a) of K.S.A. 65-7006, prior to its repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer, or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

(3) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A. 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A. 2012 Supp. 21-5705, and amendments thereto. The provisions of this paragraph shall not apply to violations of subsections (a)(2) through (a)(6) or (b) of K.S.A. 2010 Supp. 21-36a05 which occurred on or after July 1, 2009, through April 15, 2010;

(4) an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(5) 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(g) Convictions or adjudications which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction or adjudication. Any conviction or adjudication set aside pursuant to law is not a conviction or adjudication for purposes of this section. A conviction or adjudication from any out of state court shall constitute a conviction or adjudication for purposes of this section.

(h) "School" means any public or private educational institution, including, but not limited to, postsecondary school, college, university, community college, secondary school, high school, junior high school, middle school, elementary school, trade school, vocational school or professional school providing training or education to an offender for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(i) "Employment" means any full-time, part-time, transient, day-labor employment or volunteer work, with or without compensation, for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(j) "Reside" means to stay, sleep or maintain with regularity or temporarily one's person and property in a particular place other than a location where the offender is

incarcerated. It shall be presumed that an offender resides at any and all locations where the offender stays, sleeps or maintains the offender's person for three or more consecutive days or parts of days, or for ten or more non-consecutive days in a period of 30 consecutive days.

(k) "Residence" means a particular and definable place where an individual resides. Nothing in the Kansas offender registration act shall be construed to state that an offender may only have one residence for the purpose of such act.

(l) "Transient" means having no fixed or identifiable residence.

(m) "Law enforcement agency having initial jurisdiction" means the registering law enforcement agency of the county or location of jurisdiction where the offender expects to most often reside upon the offender's discharge, parole or release.

(n) "Registering law enforcement agency" means the sheriff's office or tribal police department responsible for registering an offender.

(o) "Registering entity" means any person, agency or other governmental unit, correctional facility or registering law enforcement agency responsible for obtaining the required information from, and explaining the required registration procedures to, any person required to register pursuant to the Kansas offender registration act. "Registering entity" shall include, but not be limited to, sheriff's offices, tribal police departments and correctional facilities.

(p) "Treatment facility" means any public or private facility or institution providing inpatient mental health, drug or alcohol treatment or counseling, but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto.

(q) "Correctional facility" means any public or private correctional facility, juvenile detention facility, prison or jail.

(r) "Out of state" means: the District of Columbia; any federal, military or tribal jurisdiction, including those within this state; any foreign jurisdiction; or any state or territory within the United States, other than this state.

(s) "Duration of registration" means the length of time during which an offender is required to register for a specified offense or violation.

Sec. 30. K.S.A. 2012 Supp. 22-4906 is hereby amended to read as follows: 22-4906. (a) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 15 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 15 years from the date of conviction:

(A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2012 Supp. 21-5511, and amendments thereto, when one of the parties involved is less than 18 years of age;

(C) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2012 Supp. 21-6421, ~~and amendments thereto~~ prior to its amendment by this act on July 1, 2013, when one of the parties involved is less than 18 years of age;

(D) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto, when one of the parties involved is less than 18 years of age;

(E) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

(F) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

(G) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

(H) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

(I) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2012 Supp. 21-5405, and amendments thereto;

(J) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age;

(K) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(L) conviction of any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act;

(M) conviction of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(N) unlawful manufacture or attempting such of any controlled substance or controlled substance analog as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2012 Supp. 21-5703, and amendments thereto;

(O) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance as defined by subsection (a) of K.S.A. 65-7006, prior to its repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer, or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

(P) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A. 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A. 2012 Supp. 21-5705, and amendments thereto; or

(Q) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 15 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(b) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 25 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 25 years from the date of conviction:

(A) Criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012 Supp. 21-5504, and amendments

thereto, when one of the parties involved is less than 18 years of age;

(B) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, or K.S.A. 2012 Supp. 21-5509, and amendments thereto;

(D) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments thereto;

(E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

(G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the victim is 14 or more years of age but less than 18 years of age;

(H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2012 Supp. 21-6420, ~~and amendments thereto prior to its amendment by this act on July 1, 2013~~, if the prostitute person selling sexual relations is 14 or more years of age but less than 18 years of age; or

(J) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 25 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(c) Upon a second or subsequent conviction of an offense requiring registration, an offender's duration of registration shall be for such offender's lifetime.

(d) The duration of registration for any offender who has been convicted of any of the following offenses shall be for such offender's lifetime:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(2) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(4) 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. 2012 Supp. 21-5504, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto;

(7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal,

or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the victim is less than 14 years of age;

(8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2012 Supp. 21-6420, ~~and amendments thereto prior to its amendment by this act on July 1, 2013~~, if the ~~prostitute person selling sexual relations~~ is less than 14 years of age;

(9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto; ~~or~~

(11) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto; or

~~(H)~~ (12) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(e) Any person who has been declared a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall register for such person's lifetime.

(f) Notwithstanding any other provisions of this section, for an offender less than 14 years of age who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(g) Notwithstanding any other provisions of this section, for an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2012 Supp. 21-6804, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from

confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(h) Notwithstanding any other provisions of this section, an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2012 Supp. 21-6804, and amendments thereto, shall be required to register for such offender's lifetime.

(i) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act for an offense that would not otherwise require registration as provided in subsection (a)(5) of K.S.A. 22-4902, and amendments thereto, then all provisions of the Kansas offender registration act shall apply, except that the duration of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

(j) The duration of registration does not terminate if the convicted or adjudicated offender again becomes liable to register as provided by the Kansas offender registration act during the required period of registration.

(k) For any person moving to Kansas who has been convicted or adjudicated in an out of state court, or who was required to register under an out of state law, the duration of registration shall be the length of time required by the out of state jurisdiction or by the Kansas offender registration act, whichever length of time is longer. The provisions of this subsection shall apply to convictions or adjudications prior to June 1, 2006, and to persons who moved to Kansas prior to June 1, 2006, and to convictions or adjudications on or after June 1, 2006, and to persons who moved to Kansas on or after June 1, 2006.

(l) For any person residing, maintaining employment or attending school in this state who has been convicted or adjudicated by an out of state court of an offense that is comparable to any crime requiring registration pursuant to the Kansas offender registration act, but who was not required to register in the jurisdiction of conviction or adjudication, the duration of registration shall be the duration required for the comparable offense pursuant to the Kansas offender registration act. The duration of registration shall begin upon establishing residency, beginning employment or

beginning school.

Sec. 31. K.S.A. 2012 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. 2012 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. 2012 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. 2012 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 subsection (a) (14) of K.S.A. 2012 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. 2012 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.

(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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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~~ the

department for children and families or the secretary's designee.

(cc) "Secure facility" means a facility, other than a staff secure 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, the sale of sexual relations or commercial sexual exploitation of a child, 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 or staff secure 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) "Staff secure facility" means a facility described in section 6, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(~~gg~~) (gg) "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~~) (hh) "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. 32. On January 1, 2014, K.S.A. 2012 Supp. 38-2231 is hereby amended to read as follows: 38-2231. (a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) ~~The law enforcement officer~~ Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found; ~~or~~

(2) ~~when the officer~~ has probable cause to believe that the child is a missing person

and a verified missing person entry for the child can be found in the national crime information center missing person system; or

(3) reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway, such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-1111, and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to subsection (g) of K.S.A. 2012 Supp. 38-2232, and amendments thereto.

Sec. 33. On January 1, 2014, K.S.A. 2012 Supp. 38-2232 is hereby amended to read as follows: 38-2232. (a) (1) To the extent possible, when any law enforcement officer takes into custody a child under the age of 18 years without a court order, the child shall forthwith be delivered to the custody of the child's parent or other custodian unless there are reasonable grounds to believe that such action would not be in the best interests of the child.

(2) Except as provided in subsection (b), if the child is not delivered to the custody of the child's parent or other custodian, the child shall forthwith be delivered to a shelter facility designated by the court, court services officer, juvenile intake and assessment worker, licensed attendant care center or other person 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 a facility or person designated by the secretary.

(3) If, after delivery of the child to a shelter facility, the person in charge of the shelter facility at that time and the law enforcement officer determine that the child will not remain in the shelter facility and if the child is presently alleged, but not yet adjudicated, to be a child in need of care solely pursuant to subsection (d)(9) or (d)(10) of K.S.A. 2012 Supp. 38-2202, and amendments thereto, the law enforcement officer shall deliver the child to a juvenile detention facility or other secure facility, designated by the court, where the child shall be detained for not more than 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible.

(4) No child taken into custody pursuant to this code shall be placed in a juvenile detention facility or other secure facility, except as authorized by this section and by K.S.A. 2012 Supp. 38-2242, 38-2243 and 38-2260, and amendments thereto.

(5) It shall be the duty of the law enforcement officer to furnish to the county or district attorney, without unnecessary delay, all the information in the possession of the officer pertaining to the child, the child's parents or other persons interested in or likely to be interested in the child and all other facts and circumstances which caused the child

to be taken into custody.

(b)(1) When any law enforcement officer takes into custody any child as provided in subsection (b)(2) of K.S.A. 2012 Supp. 38-2231, and amendments thereto, proceedings shall be initiated in accordance with the provisions of the interstate compact on juveniles, K.S.A. 38-1001 et seq., and amendments thereto, or K.S.A. 2012 Supp. 38-1008, and amendments thereto, when effective. Any child taken into custody pursuant to the interstate compact on juveniles may be detained in a juvenile detention facility or other secure facility.

(2) When any law enforcement officer takes into custody any child as provided in subsection (b)(3) of K.S.A. 2012 Supp. 38-2231, and amendments thereto, the law enforcement officer shall place the child in protective custody and may deliver the child to a staff secure facility. The law enforcement officer shall contact the department for children and families to begin an assessment to determine safety, placement and treatment needs for the child. Such child shall not be placed in a juvenile detention facility or other secure facility, except as authorized by this section and by K.S.A. 2012 Supp. 38-2242, 38-2243 and 38-2260, and amendments thereto.

(c) Whenever a child under the age of 18 years is taken into custody by a law enforcement officer without a court order and is thereafter placed as authorized by subsection (a), the facility or person shall, upon written application of the law enforcement officer, have physical custody and provide care and supervision for the child. The application shall state:

- (1) The name and address of the child, if known;
- (2) the names and addresses of the child's parents or nearest relatives and persons with whom the child has been residing, if known; and
- (3) the officer's belief that the child is a child in need of care and that there are reasonable grounds to believe that the circumstances or condition of the child is such that the child would be harmed unless placed in the immediate custody of the shelter facility or other person.

(d) A copy of the application shall be furnished by the facility or person receiving the child to the county or district attorney without unnecessary delay.

(e) The shelter facility or other person designated by the court who has custody of the child pursuant to this section shall discharge the child not later than 72 hours following admission, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, unless a court has entered an order pertaining to temporary custody or release.

(f) In absence of a court order to the contrary, the county or district attorney or the placing law enforcement agency shall have the authority to direct the release of the child at any time.

(g) When any law enforcement officer takes into custody any child as provided in subsection (d) of K.S.A. 2012 Supp. 38-2231, and amendments thereto, the child shall forthwith be delivered to the school in which the child is enrolled, any location designated by the school in which the child is enrolled or the child's parent or other custodian.

Sec. 34. On January 1, 2014, K.S.A. 2012 Supp. 38-2242 is hereby amended to read as follows: 38-2242. (a) The court, upon verified application, may issue ex parte an order directing that a child be held in protective custody and, if the child has not been taken into custody, an order directing that the child be taken into custody. The

application shall state for each child:

- (1) The applicant's belief that the child is a child in need of care;
- (2) that the child is likely to sustain harm if not immediately removed from the home;
- (3) that allowing the child to remain in the home is contrary to the welfare of the child; and

(4) the facts relied upon to support the application, including efforts known to the applicant to maintain the family unit and prevent the unnecessary removal of the child from the child's home, or the specific facts supporting that an emergency exists which threatens the safety of the child.

(b) (1) The order of protective custody may be issued only after the court has determined there is probable cause to believe the allegations in the application are true. The order shall remain in effect until the temporary custody hearing provided for in K.S.A. 2012 Supp. 38-2243, and amendments thereto, unless earlier rescinded by the court.

(2) No child shall be held in protective custody for more than 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, unless within the 72-hour period a determination is made as to the necessity for temporary custody in a temporary custody hearing. The time spent in custody pursuant to K.S.A. 2012 Supp. 38-2232, and amendments thereto, shall be included in calculating the 72-hour period. Nothing in this subsection shall be construed to mean that the child must remain in protective custody for 72 hours. If a child is in the protective custody of the secretary, the secretary shall allow at least one supervised visit between the child and the parent or parents within such time period as the child is in protective custody. The court may prohibit such supervised visit if the court determines it is not in the best interest of the child.

(c) (1) Whenever the court determines the necessity for an order of protective custody, the court may place the child in the protective custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (e);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility; ~~or~~

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto; or

~~(E)~~ (F) the secretary, 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.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the protective custody of the secretary until the court finds the services are

in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the protective custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated, to be a child in need of care solely pursuant to subsection (d)(9) or (d)(10) of K.S.A. 2012 Supp. 38-2202, and amendments thereto, the child may be placed in a juvenile detention facility or other secure facility pursuant to an order of protective custody for a period of not to exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible.

(d) The order of protective custody shall be served pursuant to subsection (a) of K.S.A. 2012 Supp. 38-2237, and amendments thereto, on the child's parents and any other person having legal custody of the child. The order shall prohibit the removal of the child from the court's jurisdiction without the court's permission.

(e) If the court issues an order of protective custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional 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. 2012 Supp. 38-2237, and amendments thereto, on any alleged perpetrator to whom the order is directed.

(f) (1) 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: (A)

(i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) 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.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, the court shall provide the secretary with a written copy of any orders entered upon making the order.

Sec. 35. On January 1, 2014, K.S.A. 2012 Supp. 38-2243 is hereby amended to read as follows: 38-2243. (a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the: (1) Child is dangerous to self or to others; (2) child is not likely to be available within the jurisdiction of the court for future proceedings; ~~or~~ (3) health or welfare of the child may be endangered without further care; (4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto; or (5) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility; ~~or~~

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto; or

~~(F)~~ (F) the secretary, 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.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When

the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to subsection (d)(9) or (d)(10) of K.S.A. 2012 Supp. 38-2202, and amendments thereto, the child may be placed in a juvenile detention facility or other secure facility, but the total amount of time that the child may be held in such facility under this section and K.S.A. 2012 Supp. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to subsection (a) of K.S.A. 2012 Supp. 38-2237, and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) 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: (A)

(i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) 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.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 2012 Supp. 38-2277, and amendments thereto.

Sec. 36. On January 1, 2014, K.S.A. 2012 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; a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2012 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by section 4, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto; 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. 2012 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. 2012 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. 2012 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. 2012 Supp. 21-5403, and amendments thereto; (C) capital murder, K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto; (D) voluntary manslaughter, K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 37. K.S.A. 2012 Supp. 38-2312 is hereby amended to read as follows: 38-2312. (a) Except as provided in subsection (b) and (c), any records or files specified in this code concerning a juvenile may be expunged upon application to a judge of the court of the county in which the records or files are maintained. The application for expungement may be made by the juvenile, if 18 years of age or older or, if the juvenile is less than 18 years of age, by the juvenile's parent or next friend.

(b) There shall be no expungement of records or files concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2012 Supp. 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2012 Supp. 21-5405, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs; K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto, rape; K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto, indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto, aggravated indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments thereto, aggravated incest; K.S.A. 21-3608, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5601, and amendments thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 2012 Supp. 21-5602, and amendments thereto, abuse of a child; or which would constitute an attempt to commit a violation of any of the offenses specified in this subsection.

(c) 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.

(d) When a petition for expungement is filed, the court shall set a date for a hearing on the petition and shall give notice thereof to the county or district attorney. The petition shall state: (1) The juvenile's full name; (2) the full name of the juvenile as reflected in the court record, if different than (1); (3) the juvenile's sex and date of birth; (4) the offense for which the juvenile was adjudicated; (5) the date of the trial; and (6) the identity of the trial court. 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 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. All petitions for expungement shall be docketed in the original 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.

(e) (1) After hearing, the court shall order the expungement of the records and files if the court finds that:

(A) (i) The juvenile has reached 23 years of age or that two years have elapsed since the final discharge; or

(ii) one year has elapsed since the final discharge for an adjudication concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 2012 Supp. 21-6419, and amendments thereto;

(B) since the final discharge of the juvenile, the juvenile has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated as a juvenile offender under the revised Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and

(C) the circumstances and behavior of the petitioner warrant expungement.

(2) The court may require that all court costs, fees and restitution shall be paid.

(f) Upon entry of an order expunging records or files, the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under this code the offense may be considered in determining the sentence to be imposed. The petitioner, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the juvenile. Inspection of the expunged files or records thereafter may be permitted by order of the court upon petition by the person who is the subject thereof. The inspection shall be limited to inspection by the person who is the subject of the files or records and the person's designees.

(g) A certified copy of any order made pursuant to subsection (a) or (d) shall be sent to the Kansas bureau of investigation, which shall notify every juvenile or criminal justice agency which may possess records or files ordered to be expunged. If the agency fails to comply with the order within a reasonable time after its receipt, such agency may be adjudged in contempt of court and punished accordingly.

(h) The court shall inform any juvenile who has been adjudicated a juvenile offender of the provisions of this section.

(i) Nothing in this section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the juvenile.

(j) Nothing in this section shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the revised Kansas juvenile justice code.

(k) Whenever the records or files of any adjudication have been expunged under the provisions of this section, the custodian of the records or files of adjudication relating to that offense shall not disclose the existence of such records or files, 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~~ the department for children and families, 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~~ for children and families of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) 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;
- (7) the governor or the Kansas racing 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;
- (8) the Kansas sentencing commission; or
- (9) 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)(9) shall apply to all records created prior to, on and after July 1, 2011.

Sec. 38. K.S.A. 2012 Supp. 38-2361 is hereby amended to read as follows: 38-2361. (a) Upon adjudication as a juvenile offender pursuant to K.S.A. 2012 Supp. 38-2356, and amendments thereto, modification of sentence pursuant to K.S.A. 2012 Supp. 38-2367, and amendments thereto, or violation of a condition of sentence pursuant to K.S.A. 2012 Supp. 38-2368, and amendments thereto, and subject to subsection (a) of K.S.A. 2012 Supp. 38-2365, and amendments thereto, the court may impose one or more of the following sentencing alternatives. In the event that any sentencing alternative chosen constitutes an order authorizing or requiring removal of the juvenile from the juvenile's home and such findings either have not previously been made or the findings are not or may no longer be current, the court shall make determinations as required by K.S.A. 2012 Supp. 38-2334 and 38-2335, and amendments thereto.

- (1) Place the juvenile on probation through court services or community corrections for a fixed period, subject to terms and conditions the court deems appropriate consistent with juvenile justice programs in the community.

(2) Order the juvenile to participate in a community based program available in such judicial district subject to the terms and conditions the court deems appropriate. This alternative shall not be ordered with the alternative in paragraph (12) and when ordered with the alternative in paragraph (10) shall constitute a recommendation. Requirements pertaining to child support may apply if custody is vested with other than a parent.

(3) Place the juvenile in the custody of a parent or other suitable person, subject to terms and conditions consistent with juvenile justice programs in the community. This alternative shall not be ordered with the alternative in paragraph (10) or (12). Requirements pertaining to child support may apply if custody is vested with other than a parent.

(4) Order the juvenile to attend counseling, educational, mediation or other sessions, or to undergo a drug evaluation pursuant to subsection (b).

(5) Suspend or restrict the juvenile's driver's license or privilege to operate a motor vehicle on the streets and highways of this state pursuant to subsection (c).

(6) Order the juvenile to perform charitable or community service work.

(7) Order the juvenile to make appropriate repair or restitution pursuant to subsection (d).

(8) Order the juvenile to pay a fine not exceeding \$1,000 pursuant to subsection (e).

(9) Place the juvenile under a house arrest program administered by the court pursuant to K.S.A. 2012 Supp. 21-6609, and amendments thereto.

(10) Place the juvenile in the custody of the commissioner as provided in K.S.A. 2012 Supp. 38-2365, and amendments thereto. This alternative shall not be ordered with the alternative in paragraph (3) or (12). Except for a mandatory drug and alcohol evaluation, when this alternative is ordered with alternatives in paragraphs (2), (4) and (9), such orders shall constitute a recommendation by the court. Requirements pertaining to child support shall apply under this alternative.

(11) Commit the juvenile to a sanctions house for a period no longer than 28 days subject to the provisions of subsection (f).

(12) Commit the juvenile directly to the custody of the commissioner for a period of confinement in a juvenile correctional facility and a period of aftercare pursuant to K.S.A. 2012 Supp. 38-2369, and amendments thereto. The provisions of K.S.A. 2012 Supp. 38-2365, and amendments thereto, shall not apply to juveniles committed pursuant to this provision, provided however, that 21 days prior to the juvenile's release from a juvenile correctional facility, the commissioner or designee shall notify the court of the juvenile's anticipated release date. The court shall set and hold a permanency hearing pursuant to K.S.A. 2012 Supp. 38-2365, and amendments thereto, within seven days after the juvenile's release. This alternative may be ordered with the alternative in paragraph (7). Requirements pertaining to child support shall apply under this alternative.

(b) If the court orders the juvenile to attend counseling, educational, mediation or other sessions, or to undergo a drug and alcohol evaluation pursuant to subsection (a) (4), the following provisions apply:

(1) The court may order the juvenile offender to participate in counseling or mediation sessions or a program of education, including placement in an alternative educational program approved by a local school board. The costs of any counseling or mediation may be assessed as expenses in the case. No mental health center shall charge

a fee for court-ordered counseling greater than what the center would have charged the person receiving the counseling if the person had requested counseling on the person's own initiative. No mediator shall charge a fee for court-ordered mediation greater than what the mediator would have charged the person participating in the mediation if the person had requested mediation on the person's own initiative. Mediation may include the victim but shall not be mandatory for the victim; and

(2) if the juvenile has been adjudicated to be a juvenile by reason of a violation of a statute that makes such a requirement, the court shall order and, if adjudicated for any other offense, the court may order the juvenile to submit to and complete a drug and alcohol evaluation by a community-based drug and alcohol safety action program certified pursuant to K.S.A. 8-1008, and amendments thereto, and to pay a fee not to exceed the fee established by that statute for such evaluation. The court may waive the mandatory evaluation if the court finds that the juvenile completed a drug and alcohol evaluation, approved by the community-based alcohol and drug safety action program, within 12 months before sentencing. If the evaluation occurred more than 12 months before sentencing, the court shall order the juvenile to resubmit to and complete the evaluation and program as provided herein. If the court finds that the juvenile and those legally liable for the juvenile's support are indigent, the court may waive the fee. In no event shall the fee be assessed against the commissioner or the juvenile justice authority nor shall the fee be assessed against the secretary of ~~social and rehabilitation services~~ the department for children and families or the department of ~~social and rehabilitation services for children and families~~ if the juvenile is in the secretary's care, custody and control.

(c) If the court orders suspension or restriction of a juvenile offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state pursuant to subsection (a)(5), the following provisions apply:

(1) The duration of the suspension ordered by the court shall be for a definite time period to be determined by the court. Upon suspension of a license pursuant to this subsection, the court shall require the juvenile offender to surrender the license to the court. The court 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 juvenile offender 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 juvenile offender's privilege to operate a motor vehicle is in effect. As used in this subsection, "highway" and "street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and amendments thereto. Any juvenile offender who does not have a driver's license may have driving privileges revoked. No Kansas driver's license shall be issued to a juvenile offender whose driving privileges have been revoked pursuant to this section for a definite time period to be determined by the court; and

(2) in lieu of suspending a juvenile offender's driver's license or privilege to operate a motor vehicle on the highways of this state, the court may enter an order which places conditions on the juvenile offender's privilege of operating a motor vehicle on the streets and highways of this state, a certified copy of which the juvenile offender shall be required to carry any time the juvenile offender is operating a motor vehicle on the streets and highways of this state. The order shall prescribe a definite time period for the

conditions imposed. Upon entering an order restricting a juvenile offender's license, the court shall require the juvenile offender to surrender such juvenile offender's license to the court. The court shall transmit the license 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 the juvenile offender's privilege of operating a motor vehicle and that a certified copy of the order imposing the conditions is required to be carried by the juvenile offender when operating a motor vehicle on the streets and highways of this state. If the juvenile offender is a nonresident, the court 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 the juvenile offender's state of issuance. The court shall furnish to any juvenile offender whose driver's license has had conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until the division issues the restricted license provided for in this subsection. Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the juvenile offender may apply to the division for the return of the license previously surrendered by the juvenile offender. In the event the license has expired, the juvenile offender 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 juvenile offender's privilege to operate a motor vehicle on the streets and highways of this state has been suspended or revoked prior thereto. If any juvenile offender violates any of the conditions imposed under this subsection, the juvenile offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be revoked for a period as determined by the court in which the juvenile offender is convicted of violating such conditions.

(d) The following provisions apply to the court's determination of whether to order reparation or restitution pursuant to subsection (a)(7):

(1) The court shall order the juvenile to make reparation or restitution to the aggrieved party for the damage or loss caused by the juvenile offender's offense unless it finds compelling circumstances that would render a plan of reparation or restitution unworkable. If the court finds compelling circumstances that would render a plan of reparation or restitution unworkable, the court shall enter such findings with particularity on the record. In lieu of reparation or restitution, the court may order the juvenile to perform charitable or social service for organizations performing services for the community; and

(2) restitution may include, but shall not be limited to, the amount of damage or loss caused by the juvenile's offense. Restitution may be made by payment of an amount fixed by the court or by working for the parties sustaining loss in the manner ordered by the court. An order of monetary restitution shall be a judgment against the juvenile that may be collected by the court by garnishment or other execution as on judgments in civil cases. Such judgment shall not be affected by the termination of the court's jurisdiction over the juvenile offender.

(e) If the court imposes a fine pursuant to subsection (a)(8), the following provisions apply:

(1) The amount of the fine may not exceed \$1,000 for each offense. The amount of the fine should be related to the seriousness of the offense and the juvenile's ability to

pay. Payment of a fine may be required in a lump sum or installments;

(2) in determining whether to impose a fine and the amount to be imposed, the court shall consider that imposition of a fine is most appropriate in cases where the juvenile has derived pecuniary gain from the offense and that imposition of a restitution order is preferable to imposition of a fine; and

(3) any fine imposed by court shall be a judgment against the juvenile that may be collected by the court by garnishment or other execution as on judgments in civil cases. Such judgment shall not be affected by the termination of the court's jurisdiction over the juvenile.

(f) If the court commits the juvenile to a sanctions house pursuant to subsection (a) (11), the following provisions shall apply:

(1) The court may order commitment for up to 28 days for the same offense or violation of sentencing condition. The court shall review the commitment every seven days and, may shorten the initial commitment or, if the initial term is less than 28 days, may extend the commitment;

(2) if, in the sentencing order, the court orders a sanctions house placement for a verifiable probation violation and such probation violation occurs, the juvenile may immediately be taken to a sanctions house and detained for no more than 48 hours, excluding Saturdays, Sundays, holidays, and days on which the office of the clerk of the court is not accessible, prior to court review of the placement. The court and all parties shall be notified of the sanctions house placement; and

(3) a juvenile over 18 years of age and less than 23 years of age at sentencing shall be committed to a county jail, in lieu of a sanctions house, under the same time restrictions imposed by paragraph (1), but shall not be committed to or confined in a juvenile detention facility.

(g) Any order issued by the judge pursuant to this section shall be in effect immediately upon entry into the court's minutes.

(h) In addition to the requirements of K.S.A. 2012 Supp. 38-2373, and amendments thereto, if a person is under 18 years of age and convicted of a felony or adjudicated as a juvenile offender for an offense if committed by an adult would constitute the commission of a felony, the court shall forward a signed copy of the journal entry to the commissioner within 30 days of final disposition.

(i) Except as further provided, if a juvenile has been adjudged to be a juvenile offender for an offense that if committed by an adult would constitute the commission of: (1) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto, if the victim is less than 14 years of age; (2) rape, as defined in subsection (a)(3) of K.S.A. 2012 Supp. 21-5503, and amendments thereto; (3) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2012 Supp. 21-5506, and amendments thereto; (4) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto; (5) ~~promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the prostitute~~ commercial sexual exploitation of a child, as defined in section 4, and amendments thereto, if the victim is less than 14 years of age; (6) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the victim is less than 14 years of age; or (7) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2012 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of an offense defined in parts

(1) through (6); the court shall issue an order prohibiting the juvenile from attending the attendance center that the victim of the offense attends. If only one attendance center exists, for which the victim and juvenile are eligible to attend, in the school district where the victim and the juvenile reside, the court shall hear testimony and take evidence from the victim, the juvenile, their families and a representative of the school district as to why the juvenile should or should not be allowed to remain at the attendance center attended by the victim. After such hearing, the court may issue an order prohibiting the juvenile from attending the attendance center that the victim of the offense attends.

(j) The sentencing hearing shall be open to the public as provided in K.S.A. 2012 Supp. 38-2353, and amendments thereto.

Sec. 39. K.S.A. 2012 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~~ any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of ~~a house of prostitution~~ any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older;

(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, and amendments thereto, 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. 2012 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. 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, microdistillery 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. 2012 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 any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older;

(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.

Sec. 40. K.S.A. 2012 Supp. 41-2601 is hereby amended to read as follows: 41-2601. As used in the club and drinking establishment act:

(a) The following terms shall have the meanings provided by K.S.A. 41-102, and amendments thereto: (1) "Alcoholic liquor"; (2) "director"; (3) "original package"; (4) "person"; (5) "sale"; and (6) "to sell."

(b) "Beneficial interest" shall not include any interest a person may have as owner, operator, lessee or franchise holder of a licensed hotel or motel on the premises of which a club or drinking establishment is located.

(c) "Caterer" means an individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit, selling alcoholic liquor in accordance with the terms of such permit.

(d) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.

(e) "Class A club" means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the director, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members) and their families and guests accompanying them.

(f) "Class B club" means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(g) "Club" means a class A or class B club.

(h) "Drinking establishment" means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. Drinking establishment includes a railway car.

(i) "Food" means any raw, cooked or processed edible substance or ingredient, other than alcoholic liquor or cereal malt beverage, used or intended for use or for sale, in whole or in part, for human consumption.

(j) "Food service establishment" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(k) "Hotel" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(l) "Individual drink" means a beverage containing alcoholic liquor or cereal malt beverage served to an individual for consumption by such individual or another individual, but which is not intended to be consumed by two or more individuals. The term "individual drink" includes beverages containing not more than: (1) Eight ounces of wine; (2) thirty-two ounces of beer or cereal malt beverage; or (3) four ounces of a single spirit or a combination of spirits.

(m) "Minibar" means a closed cabinet, whether nonrefrigerated or wholly or partially refrigerated, access to the interior of which is restricted by means of a locking device which requires the use of a key, magnetic card or similar device.

(n) "Minor" means a person under 21 years of age.

(o) "Morals charge" means a charge involving ~~prostitution~~ the sale of sexual relations; procuring any person; soliciting of a child under 18 years of age for any immoral act involving sex; possession or sale of narcotics, marijuana, amphetamines or barbiturates; rape; incest; gambling; illegal cohabitation; adultery; bigamy; or a crime against nature.

(p) "Municipal corporation" means the governing body of any county or city.

(q) "Public venue" means an arena, stadium, hall or theater, used primarily for athletic or sporting events, live concerts, live theatrical productions or similar seasonal entertainment events, not operated on a daily basis, and containing:

(1) Not less than 4,000 permanent seats; and

(2) not less than two private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier.

(r) "Railway car" means a locomotive drawn conveyance used for the transportation and accommodation of human passengers that is confined to a fixed rail route and which derives from sales of food for consumption on the railway car not less than 30% of its gross receipts from all sales of food and beverages in a 12-month

period.

(s) "Restaurant" means:

(1) In the case of a club, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed club premises not less than 50% of its gross receipts from all sales of food and beverages on such premises in a 12-month period;

(2) in the case of a drinking establishment subject to a food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed drinking establishment premises not less than 30% of its gross receipts from all sales of food and beverages on such premises in a 12-month period; and

(3) in the case of a drinking establishment subject to no food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment.

(t) "RV resort" means premises where a place to park recreational vehicles, as defined in K.S.A. 75-1212, and amendments thereto, is offered for pay, primarily to transient guests, for overnight or longer use while such recreational vehicles are used as sleeping or living accommodations.

(u) "Secretary" means the secretary of revenue.

(v) "Temporary permit" means a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto.

Sec. 41. K.S.A. 2012 Supp. 60-4104 is hereby amended to read as follows: 60-4104. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

(a) All offenses which statutorily and specifically authorize forfeiture;

(b) violations involving controlled substances, as described in K.S.A. 2012 Supp. 21-5701 through 21-5717, and amendments thereto;

(c) theft, as defined in K.S.A. 2012 Supp. 21-5801, and amendments thereto;

(d) criminal discharge of a firearm, as defined in subsections (a)(1) and (a)(2) of K.S.A. 2012 Supp. 21-6308, and amendments thereto;

(e) gambling, as defined in K.S.A. 2012 Supp. 21-6404, and amendments thereto, and commercial gambling, as defined in subsection (a)(1) of K.S.A. 2012 Supp. 21-6406, and amendments thereto;

(f) counterfeiting, as defined in K.S.A. 2012 Supp. 21-5825, and amendments thereto;

(g) unlawful possession or use of a scanning device or reencoder, as described in K.S.A. 2012 Supp. 21-6108, and amendments thereto;

(h) medicaid fraud, as described in K.S.A. 2012 Supp. 21-5925 through 21-5934, and amendments thereto;

(i) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state, whether or not it is prosecuted in any state;

(j) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;

(k) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;

(l) furtherance of terrorism or illegal use of weapons of mass destruction, as described in K.S.A. 2012 Supp. 21-5423, and amendments thereto;

(m) unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia, as defined in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6414, and amendments thereto;

(n) unlawful conduct of cockfighting and unlawful possession of cockfighting paraphernalia, as defined in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6417, and amendments thereto;

(o) ~~prostitution selling sexual relations~~, as defined in K.S.A. 2012 Supp. 21-6419, and amendments thereto, promoting ~~prostitution the sale of sexual relations~~, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, and ~~patronizing a prostitute~~ buying sexual relations, as defined in K.S.A. 2012 Supp. 21-6421, and amendments thereto;

(p) human trafficking and aggravated human trafficking, as defined in K.S.A. 2012 Supp. 21-5426, and amendments thereto;

(q) violations of the banking code, as described in K.S.A. 9-2012, and amendments thereto;

(r) mistreatment of a dependent adult, as defined in K.S.A. 2012 Supp. 21-5417, and amendments thereto;

(s) giving a worthless check, as defined in K.S.A. 2012 Supp. 21-5821, and amendments thereto;

(t) forgery, as defined in K.S.A. 2012 Supp. 21-5823, and amendments thereto;

(u) making false information, as defined in K.S.A. 2012 Supp. 21-5824, and amendments thereto;

(v) criminal use of a financial card, as defined in K.S.A. 2012 Supp. 21-5828, and amendments thereto;

(w) unlawful acts concerning computers, as described in K.S.A. 2012 Supp. 21-5839, and amendments thereto;

(x) identity theft and identity fraud, as defined in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6107, and amendments thereto;

(y) electronic solicitation, as defined in K.S.A. 2012 Supp. 21-5509, and amendments thereto; ~~and~~

(z) felony violations of fleeing or attempting to elude a police officer, as described in K.S.A. 8-1568, and amendments thereto; and

(aa) commercial sexual exploitation of a child, as defined in section 4, and amendments thereto.

Sec. 42. K.S.A. 2012 Supp. 68-2255 is hereby amended to read as follows: 68-2255. (a) As used in this section:

(1) "Adult cabaret" means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

(A) Persons who appear in a state of nudity or semi-nudity;

(B) live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or

(C) films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas;

(2) "nudity" or a "state of nudity" means the showing of the human male or female

genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple or the showing of the covered male genitals in a discernibly turgid state;

(3) "semi-nudity" means a state of dress in which opaque clothing fails to cover the genitals, anus, anal cleft or cleavage, pubic area, vulva, nipple and areola of the female breast below a horizontal line across the top of the areola at its highest point. Semi-nudity shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by wearing apparel provided the areola is not exposed in whole or part;

(4) "sexually-oriented business" means any business which offers its patrons goods of which a substantial portion are sexually-oriented materials. Any business where more than 10% of display space is used for sexually-oriented materials shall be presumed to be a sexually-oriented business;

(5) "sexually-oriented materials" means any textual, pictorial or three dimensional material that depicts nudity, sexual conduct, sexual excitement or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors;

(6) "sign" or "outdoor advertising" means any outdoor sign, display, device, notice, bulletin, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is located within an adjacent area, and is visible from the state highway.

(b) No sign or other outdoor advertising, for an adult cabaret or sexually-oriented business shall be located within one mile of any state highway except if such business is located within one mile of a state highway then the business may display a maximum of two exterior signs on the premises of the business, consisting of one identification sign and one sign solely giving notice that the premises are off limits to minors. The identification sign shall be no more than 40 square feet in size and shall include no more than the following information: Name, street address, telephone number and operating hours of the business.

(c) Signs existing at the time of the effective date of this act, which did not conform to the requirements of this section, and amendments thereto, may be allowed to continue as a nonconforming use, but should be made to conform within three years from July 1, 2006.

(d) Any owner of such a business who violates the provisions of this section shall be guilty of a class C misdemeanor. Each week a violation of this section continues to exist shall constitute a separate offense.

(e) This section is designed to protect the following public policy interests of this state, including, but not limited to:

(1) To mitigate the adverse secondary effects of sexually-oriented businesses; (2) to improve traffic safety; (3) to limit harm to minors; and (4) to reduce ~~prostitution~~ the sale of sexual relations, crime, juvenile delinquency, deterioration in property values and lethargy in neighborhood improvement efforts.

(f) The attorney general shall represent the state in all actions and proceedings arising from this section, and amendments thereto. All costs incurred by the attorney general to defend or prosecute this section, including payment of all court costs, civil

judgments and, if necessary, any attorneys fees, shall be paid from the state general fund.

Sec. 43. K.S.A. 22-2530 and K.S.A. 2012 Supp. 12-4106, 12-4120, 12-4516, 21-5301, 21-5302, 21-5303, 21-5401, 21-5502, 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6806, 21-6815, 22-2515, 22-3601, 22-3717, 22-3901, 22-4902, 22-4906, 38-2202, 38-2312, 38-2361, 41-311, 41-2601, 60-4104 and 68-2255 are hereby repealed.

Sec. 44. On January 1, 2014, K.S.A. 2012 Supp. 38-2231, 38-2232, 38-2242, 38-2243 and 38-2255 are hereby repealed.";

And by redesignating sections accordingly;

On page 1, in the title, by striking all in lines 1 through 3 and inserting:

"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 sexual relations, buying sexual relations; children in need of care; staff secure facilities; amending K.S.A. 22-2530 and K.S.A. 2012 Supp. 12-4106, 12-4120, 12-4516, 21-5301, 21-5302, 21-5303, 21-5401, 21-5502, 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6806, 21-6815, 22-2515, 22-3601, 22-3717, 22-3901, 22-4902, 22-4906, 38-2202, 38-2231, 38-2232, 38-2242, 38-2243, 38-2255, 38-2312, 38-2361, 41-311, 41-2601, 60-4104 and 68-2255 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

JOHN J. RUBIN

RAMON C. GONZALEZ, JR.

GAIL FINNEY

Conferees on part of House

On motion of Rep. Rubin, the conference committee report on **S Sub for HB 2034** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried,

Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2025** 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 3, in line 12, after "once" by inserting "in January and once in April"; in line 13, by striking "second,"; in line 14, after "chairperson" by inserting ", but not to exceed six meetings in a calendar year, except additional meetings may be held on call of the chairperson when urgent circumstances exist which require such meetings";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

ELAINE BOWERS

LAURA KELLY

Conferees on part of Senate

J. DAVID CRUM

BRIAN WEBER

JIM WARD

Conferees on part of House

On motion of Rep. Weber, the conference committee report on **HB 2025** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2199** 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 6 through 36;

By striking all on pages 2 and 3 and inserting:

"New Section 1. (a) Notwithstanding the provisions of either the Kansas administrative procedure act, and amendments thereto, or any rule and regulation adopted pursuant to the Kansas liquor control act, and amendments thereto, governing the issuance of any written administrative notice or order concerning the imposition of any proposed civil fine or other penalty to be imposed for a violation of any of the provisions of the Kansas liquor control act, K.S.A. 41-101 et seq., and amendments thereto, such notice or order shall be issued no later than 90 days after the date a citation for such violation was issued.

(b) This section shall be part of and supplemental to the provisions of the Kansas liquor control act, K.S.A. 41-101 et seq., and amendments thereto.

New Sec. 2. (a) Notwithstanding the provisions of either the Kansas administrative procedure act, and amendments thereto, or any rule and regulation adopted pursuant to the club and drinking establishment act, and amendments thereto, governing the issuance of any written administrative notice or order concerning the imposition of any proposed civil fine or other penalty to be imposed for a violation of any of the provisions of the club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto, such notice or order shall be issued no later than 90 days after the date a citation for such violation was issued.

(b) This section shall be part of and supplemental to the provisions of the Kansas club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto.

Sec. 3. K.S.A. 2012 Supp. 41-104 is hereby amended to read as follows: 41-104. No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish or possess any alcoholic liquor for beverage purposes, except as specifically provided in this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, except that nothing contained in this act shall prevent:

(a) The possession and transportation of alcoholic liquor for the personal use of the possessor, the possessor's family and guests except that the provisions of K.S.A. 41-407, and amendments thereto, shall be applicable to all persons;

(b) the making of wine, cider or beer by a person from fruits, vegetables or grains, or the product thereof, by simple fermentation and without distillation, if it is made solely for the use of the maker and the maker's family; persons who receive a personal invitation to an event conducted by the maker and judges at a contest or competition of such beverages, provided, the maker receives no compensation for producing such beverages or for allowing the consumption thereof;

(c) any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of the medical or dental profession;

(d) any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or institution;

(e) any drugstore employing a licensed pharmacist from possessing and using alcoholic liquor in the compounding of prescriptions of duly licensed physicians;

(f) the possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church; ~~or~~

(g) the sale of wine to a consumer in this state by a person which holds a valid license authorizing the manufacture of wine in this or another state and the shipment of such wine directly to such consumer, subject to the following: (1) The consumer must be at least 21 years of age; (2) the consumer must purchase the wine while physically present on the premises of the wine manufacturer; (3) the wine must be for the consumer's personal consumption and not for resale; and (4) the consumer shall comply with the provisions of K.S.A. 41-407, and amendments thereto, by payment of all applicable taxes within such time after purchase of the wine as prescribed by rules and regulations adopted by the secretary;

(h) the serving of complimentary alcoholic liquor or cereal malt beverages at fund raising activities of charitable organizations as defined by K.S.A. 17-1760, and amendments thereto, and as qualified pursuant to 26 U.S.C.A. § 501(c) and by committees formed pursuant to K.S.A. 25-4142 et seq., and amendments thereto. The serving of such alcoholic liquor at such fund raising activities shall not constitute a sale pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto. Any such fund raising activity shall not be required to obtain a license or a temporary permit pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto; ~~or~~

(i) the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the governing body of the city, county or township wherein the event will take place and whereby the director of the alcoholic beverage control has been notified thereof no less than 10 days in advance.

Sec. 4. K.S.A. 2012 Supp. 41-308d is hereby amended to read as follows: 41-308d. (a) Notwithstanding any other provisions of the Kansas liquor control act to the contrary, any person or entity who is licensed to sell alcoholic liquor in the original package at retail may conduct wine, beer and distilled spirit tastings on the licensed premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, as follows:

(1) Wine, beer and spirits for the tastings shall come from the inventory of the licensee. Except as provided by paragraph (2), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(2) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a retail licensee's premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch, or pour alcoholic beverages, make a

presentation, or answer questions at the tasting. Any alcoholic beverage tasted under this subsection must be purchased from the retailer on whose premises the tasting is held. The retailer may not require the purchase of more alcoholic beverages than are necessary for the tasting. This section does not authorize the supplier or its agent to withdraw or purchase an alcoholic beverage from the holder of a distributor's permit or provide an alcoholic beverage for tasting on a retailer's premises that is not purchased from the retailer.

(3) No charge of any sort may be made for a sample serving.

(4) A person may be served more than one sample. Samples may not be served to a minor. No samples may be removed from the licensed premises.

(5) The act of providing samples to consumers shall be exempt from the requirement of holding a Kansas food service dealer license from the department of agriculture under the provisions of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(b) Nothing in this section shall be construed to permit the licensee to sell wine, malt beverages or distilled spirits for on-premises consumption.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(d) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(e) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 5. K.S.A. 2012 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 is not~~ 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, and amendments thereto, 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. 2012 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. 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, microdistillery 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. 2012 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.

Sec. 6. K.S.A. 2012 Supp. 41-354 is hereby amended to read as follows: 41-354.

(a) A microdistillery license shall allow:

- (1) The manufacture of not more than 50,000 gallons of spirits per year and the storage thereof;
- (2) the sale to spirit distributors of spirits, manufactured by the licensee;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of spirits 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 spirits manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of spirits and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of spirits and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microdistillery licensee, the director may issue not to exceed one microdistillery packaging and warehousing facility license to the microdistillery licensee. A microdistillery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microdistillery to the licensed premises of the microdistillery packaging and warehousing facility, of spirits manufactured by the licensee, for the purpose of packaging or storage, or both;

(2) the transfer, from the licensed premises of the microdistillery packaging and warehousing facility to the licensed premises of the microdistillery, of spirits manufactured by the licensee; or

(3) the removal from the licensed premises of the microdistillery packaging and warehousing facility of spirits manufactured by the licensee for the purpose of delivery to a licensed spirits wholesaler.

(c) A microdistillery may sell spirits 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 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microdistillery may serve samples of spirits and serve and sell spirits 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.

(d) The director may issue to the Kansas state fair or any bona fide group of distillers a permit to import into this state small quantities of spirits. Such spirits shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such spirits 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 spirit to be imported, the quantity to be imported, the tasting programs for which the spirit is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of spirits pursuant to this subsection and the conduct of tasting programs for which such spirits are imported.

(e) A microdistillery license or microdistillery packaging and warehousing facility 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.

(f) No microdistillery 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-premises 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.

(g) Whenever a microdistillery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

(h) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(i) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(j) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 7. K.S.A. 41-713 is hereby amended to read as follows: 41-713. (a) It shall be unlawful for a retailer of alcoholic liquor:

(1) To permit any person to mix drinks in or on the licensed premises, except as provided in subsection (b);

(2) to employ any person under the age of ~~twenty-one (21)~~ 21 years in connection with the operation of such retail establishment; or

(3) to employ any person in connection with the operation of such retail establishment who has been adjudged guilty of a felony.

(b) The provisions of subsection (a)(1) shall not apply to the preparation or mixing of samples for the purposes of conducting wine, beer, or distilled spirit tastings, or any combination thereof, as authorized by K.S.A. 2012 Supp. 41-308d, and amendments thereto.

Sec. 8. K.S.A. 2012 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, 41-308b or K.S.A. 2012 Supp. 41-354, 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 the premises of the state capitol building or on its surrounding premises during an official state function that has been approved by the legislative coordinating council.

(13) 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. 9. K.S.A. 2012 Supp. 41-2601 is hereby amended to read as follows: 41-2601. As used in the club and drinking establishment act:

(a) The following terms shall have the meanings provided by K.S.A. 41-102, and amendments thereto: (1) "Alcoholic liquor"; (2) "director"; (3) "original package"; (4) "person"; (5) "sale"; and (6) "to sell."

(b) "Beneficial interest" shall not include any interest a person may have as owner, operator, lessee or franchise holder of a licensed hotel or motel on the premises of which a club or drinking establishment is located.

(c) "Caterer" means an individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit, selling alcoholic liquor in accordance with the terms of such permit.

(d) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.

(e) "Class A club" means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the director, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members) and their families and guests accompanying them.

(f) "Class B club" means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(g) "Club" means a class A or class B club.

(h) "Drinking establishment" means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. Drinking establishment includes a railway car.

(i) "Food" means any raw, cooked or processed edible substance or ingredient, other than alcoholic liquor or cereal malt beverage, used or intended for use or for sale, in whole or in part, for human consumption.

(j) "Food service establishment" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(k) "Hotel" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(l) "Individual drink" means a beverage containing alcoholic liquor or cereal malt beverage served to an individual for consumption by such individual or another individual, but which is not intended to be consumed by two or more individuals. The term "individual drink" includes beverages containing not more than: (1) Eight ounces of wine; (2) thirty-two ounces of beer or cereal malt beverage; or (3) four ounces of a single spirit or a combination of spirits.

(m) "Minibar" means a closed cabinet, whether nonrefrigerated or wholly or partially refrigerated, access to the interior of which is restricted by means of a locking device which requires the use of a key, magnetic card or similar device.

(n) "Minor" means a person under 21 years of age.

(o) "Morals charge" means a charge involving prostitution; procuring any person; soliciting of a child under 18 years of age for any immoral act involving sex; possession

or sale of narcotics, marijuana, amphetamines or barbiturates; rape; incest; gambling; illegal cohabitation; adultery; bigamy; or a crime against nature.

(p) "Municipal corporation" means the governing body of any county or city.

(q) "Public venue" means an arena, stadium, hall or theater, used primarily for athletic or sporting events, live concerts, live theatrical productions or similar seasonal entertainment events, not operated on a daily basis, and containing:

(1) Not less than 4,000 permanent seats; and

(2) not less than two private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier.

(r) "Railway car" means a locomotive drawn conveyance used for the transportation and accommodation of human passengers that is confined to a fixed rail route and which derives from sales of food for consumption on the railway car not less than 30% of its gross receipts from all sales of food and beverages in a 12-month period.

(s) "Restaurant" means:

(1) In the case of a club, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed club premises not less than 50% of its gross receipts from all sales of food and beverages on such premises in a 12-month period;

(2) in the case of a drinking establishment subject to a food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed drinking establishment premises not less than 30% of its gross receipts from all sales of food and beverages on such premises in a 12-month period; and

(3) in the case of a drinking establishment subject to no food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment.

(t) "RV resort" means premises where a place to park recreational vehicles, as defined in K.S.A. 75-1212, and amendments thereto, is offered for pay, primarily to transient guests, for overnight or longer use while such recreational vehicles are used as sleeping or living accommodations.

(u) "Sample" means a serving of alcoholic liquor which contains not more than: (1) One-half ounce of distilled spirits; (2) one ounce of wine; or (3) two ounces of beer or cereal malt beverage. A sample of a mixed alcoholic beverage shall contain not more than one-half ounce of distilled spirits.

~~(v)~~ (v) "Secretary" means the secretary of revenue.

~~(w)~~ (w) "Temporary permit" means a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto.

Sec. 10. K.S.A. 41-2610 is hereby amended to read as follows: 41-2610. It shall be unlawful for any licensee or holder of a temporary permit under this act to:

(a) Employ any person under the age of 18 years in connection with the serving of alcoholic liquor.

(b) Employ knowingly or continue in employment any person in connection with the dispensing or serving of alcoholic liquor or the mixing of drinks containing alcoholic liquor who has been adjudged guilty of a felony or of any crime involving a morals charge in this or any other state, or of the United States.

~~(c) Employ knowingly or to continue in employment any person in connection~~

~~with the dispensing or serving of alcoholic liquor or mixing of drinks containing alcoholic liquor who has been adjudged guilty of a violation of any intoxicating liquor law of this or any other state, or of the United States, during the two-year period immediately following such adjudging. Knowingly employ or continue to employ any person in connection with the dispensing or serving of alcoholic liquor, or the mixing of drinks containing alcoholic liquor, who has been adjudged guilty of two or more violations of K.S.A. 2012 Supp. 21-5607, and amendments thereto, furnishing alcoholic liquor to minors or a similar law of any other state, or of the United States, pertaining to furnishing alcoholic liquor to minors within the immediately preceding five years, or who has been adjudged guilty of three or more violations of any intoxicating liquor law of this or any other state, or of the United States, not involving the furnishing of alcoholic liquor to minors within the immediately preceding five years.~~

(d) In the case of a club, fail to maintain at the licensed premises a current list of all members and their residence addresses or refuse to allow the director, any of the director's authorized agents or any law enforcement officer to inspect such list.

(e) Purchase alcoholic liquor from any person except from a person authorized by law to sell such alcoholic liquor to such licensee or permit holder.

(f) Permit any employee of the licensee or permit holder who is under the age of 21 years to work on premises where alcoholic liquor is sold by such licensee or permit holder at any time when not under the on-premises supervision of either the licensee or permit holder, or an employee who is 21 years of age or over.

(g) Employ any person under 21 years of age in connection with the mixing or dispensing of drinks containing alcoholic liquor.

Sec. 11. K.S.A. 2012 Supp. 41-2637 is hereby amended to read as follows: 41-2637. (a) A license for a class A club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members and their families, and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge for consumption by members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept

separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 12. K.S.A. 2012 Supp. 41-2640 is hereby amended to read as follows: 41-2640. (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes; or

(5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (5).

(c) A public venue club, drinking establishment, caterer or holder of a temporary permit may:

(1) Offer free food or entertainment at any time;

(2) sell or deliver wine by the bottle or carafe;

(3) sell, offer to sell and serve individual drinks at different prices throughout any day; ~~or~~

(4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces;

(5) offer samples of alcohol liquor free of charge as authorized by this act; or

(6) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid ounces; or

(d) any licensee located in a lottery gaming facility may offer customer self-service of wine from automated devices on the licensee's premises so long as the licensee monitors and has the ability to control the consumption of such wine from such

automated devices and such consumption is monitored by video surveillance under the real-time review of the licensee's management and the Kansas racing and gaming commission.

(e) A hotel of which the entire premises is licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, distribute to its guests coupons redeemable on the hotel premises for drinks containing alcoholic liquor. The hotel shall remit liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink served based on a price which is not less than the acquisition cost of the drink.

(f) A hotel of which the entire premises is not licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, through an agreement with one or more clubs or drinking establishments, distribute to its guests coupons redeemable at such clubs or drinking establishments for drinks containing alcoholic liquor. Each club or drinking establishment redeeming coupons issued by a hotel shall collect from the hotel the agreed price, which shall be not less than the acquisition cost of the drink plus the liquor drink tax for each drink served. The club or drinking establishment shall collect and remit the liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto.

~~(d)~~(g) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

~~(e)~~(h) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

~~(f) Every licensed club and drinking establishment shall make available at any time upon request a price list showing the club's or drinking establishment's current prices per individual drink for all individual drinks.~~

Sec. 13. K.S.A. 2012 Supp. 41-2641 is hereby amended to read as follows: 41-2641. (a) A license for a class B club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members of such club and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge on the licensed premises for consumption by such members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic

liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) Except as provided by subsection (d), an applicant for membership in a class B club shall, before becoming a member of such club:

(1) Be screened by the club for good moral character;

(2) pay an annual membership fee of not less than \$10; and

(3) wait for a period of 10 days after completion of the application form and payment of the membership fee.

(d) Notwithstanding the membership fee and waiting period requirement of subsection (c):

(1) Any class B club located on the premises of a hotel or RV resort may establish rules whereby a guest, who registered at the hotel or RV resort and who is not a resident of the county in which the club is located, may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and such temporary membership shall not be subject to the waiting period or fee requirement of this section.

(2) Any class B club located on property which is owned or operated by a municipal airport authority and upon which consumption of alcoholic liquor is authorized by law may establish rules whereby an air traveler who is a holder of a current airline ticket may file application for temporary membership in such club for the day such air traveler's ticket is valid, and such temporary membership shall not be subject to the waiting period or fee requirement of this section.

(3) Any class B club may establish rules whereby military personnel of the armed forces of the United States on temporary duty and housed at or near any military installation located within the exterior boundaries of the state of Kansas may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of the training, not to exceed 20 weeks. Any person wishing to make application for temporary membership in a class B club under this subsection (d)(3) shall present the temporary duty orders to the club. Temporary membership issued under this subsection (d)(3) shall not be subject to the waiting period or fee requirements of this section.

(4) Any class B club may enter into a written agreement with a hotel or RV resort whereby a guest who is registered at the hotel or RV resort and who is not a resident of the county in which the club is located may file application for temporary membership in such club. The temporary membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and shall not be subject to the waiting period or dues requirement of this section. A club may enter into a written agreement with a hotel or RV resort pursuant to this provision only if: (A) The hotel or RV resort is located in the same county as the club; (B) there is no class B club located on the premises of the hotel or RV resort; and (C) no other club has entered into a written agreement with the hotel or RV resort pursuant to this section.

(5) Any class B club located in a racetrack facility where races with parimutuel wagering are conducted under the Kansas parimutuel racing act may establish rules whereby persons attending such races may file an application for temporary

membership in such club for the day such person is attending such races, and such temporary membership shall not be subject to the waiting period or fee requirement of this section.

(e) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 14. K.S.A. 2012 Supp. 41-2642 is hereby amended to read as follows: 41-2642. (a) A license for a drinking establishment shall allow the licensee to offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises which may be open to the public, and to serve samples of alcoholic liquor free of charge on licensed premises subject to the requirements of subsection (c), but only if such premises are located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, the proposition to amend section 10 of article 15 of the constitution of the state of Kansas at the general election in November 1986, or (B) have approved a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(b) A drinking establishment shall be required to derive from sales of food for consumption on the licensed premises not less than 30% of all the establishment's gross receipts from sales of food and beverages on such premises unless the licensed premises are located in a county where the qualified electors of the county:

(1) Have approved, at an election pursuant to K.S.A. 41-2646, and amendments thereto, a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(c) No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises. participation in any event taking place on the premises or to remain on the premises.

~~(e)~~ (d) A drinking establishment shall specify in the application for a license or renewal of a license the premises to be licensed, which may include all premises which are in close proximity and are under the control of the applicant or licensee.

~~(d)~~ (e) Notwithstanding any other provision of law to the contrary, any hotel of which the entire premises are licensed as a drinking establishment or as a drinking establishment/caterer may sell alcoholic liquor or cereal malt beverage by means of minibars located in guest rooms of such hotel, subject to the following:

(1) The key, magnetic card or other device required to attain access to a minibar in a guest room shall be provided only to guests who are registered to stay in such room

and who are 21 or more years of age;

(2) containers or packages of spirits or wine sold by means of a minibar shall hold not less than 50 nor more than 200 milliliters; and

(3) a minibar shall be restocked with alcoholic liquor or cereal malt beverage only during hours when the hotel is permitted to sell alcoholic liquor and cereal malt beverage as a drinking establishment.

~~(e)~~ (f) A drinking establishment may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 15. K.S.A. 2012 Supp. 41-2655 is hereby amended to read as follows: 41-2655. (a) A license for a public venue shall allow the licensee to:

(1) Offer for sale, sell and serve alcoholic liquor by the individual drink for consumption on the licensed premises;

(2) offer for sale, sell and serve unlimited drinks for a fixed price in designated areas of the licensed premises;

(3) offer for sale and sell all inclusive packages which include unlimited drinks in designated areas of the licensed premises;

(4) offer for sale, sell and serve alcoholic liquor in the original container for consumption on the licensed premises in private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier;

(5) store, in each private suite, which ~~are~~ is enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier, alcoholic liquor sold in the original container to a customer in that private suite; and

(6) with the approval of the retailer or distributor, return for a full refund of the original purchase price unopened containers of alcoholic liquor to the retailer or distributor from whom such items were purchased upon the conclusion of an event if the next scheduled event for that premises is more than 90 days from the date of the concluded event.

(b) An applicant or public venue licensee shall specify in the application for a license, or renewal of a license, the premises to be licensed. No public venue licensee may offer for sale, sell or serve any alcoholic liquor in any area not included in the licensed premises.

(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.

(e) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(f) This section shall be a part of and supplemental to the club and drinking establishment act.

Sec. 16. K.S.A. 2012 Supp. 79-41a02 is hereby amended to read as follows: 79-41a02. (a) There is hereby imposed, for the privilege of selling alcoholic liquor, a tax at the rate of 10% upon the gross receipts derived from the sale of alcoholic liquor by any club, caterer, drinking establishment, public venue or temporary permit holder, and upon the acquisition costs of any alcoholic liquor served as samples by clubs and drinking establishments.

(b) The tax imposed by this section shall be paid by the consumer to the club, caterer, drinking establishment, public venue or temporary permit holder and it shall be the duty of each and every club, caterer, drinking establishment, public venue or temporary permit holder subject to this section to collect from the consumer the full amount of such tax, or an amount equal as nearly as possible or practicable to the average equivalent thereto. Each club, caterer, drinking establishment, public venue or temporary permit holder collecting the tax imposed hereunder shall be responsible for paying over the same to the state department of revenue in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the collection of such tax.

(c) Any club or drinking establishment that serves free samples of alcoholic liquor shall remit the tax imposed by subsection (a) in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the payment of such tax.

New Sec. 17. (a) Alcoholic liquor and cereal malt beverage for the sampling as provided for in K.S.A. 41-2637, 41-2640, 41-2641 and 41-2642, and amendments thereto, shall be withdrawn from the inventory of the licensee. Except as provided by subsection (b), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(b) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a licensee's premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch or pour alcoholic beverages, make a presentation or answer questions at the tasting. Any alcoholic beverage or cereal malt beverages sampled under this subsection must be purchased from the licensee on whose premises the sampling is held. The licensee may not require the purchase of more alcoholic beverages or cereal malt beverages than is necessary for the tasting. This section does not authorize the supplier or its agent to withdraw or purchase an alcoholic beverage or cereal malt beverage from the holder of a distributor's license or provide an alcoholic beverage or cereal malt beverage for sampling on the licensee's premises that is not purchased from the licensee.

New Sec. 18. Each licensee licensed under this act who provides samples shall pay the drink tax imposed by K.S.A. 79-41a01 et seq., and amendments thereto, on the alcoholic liquor and cereal malt beverage inventory when the inventory is withdrawn from the licensee's stock based on the licensee's acquisition cost.

Sec. 19. K.S.A. 41-713 and 41-2610, and K.S.A. 2012 Supp. 41-104, 41-308d, 41-311, 41-354, 41-719, 41-2601, 41-2637, 41-2640, 41-2641, 41-2642, 41-2655 and 79-41a02 are hereby repealed.

Sec. 20. 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 alcoholic beverages; amending K.S.A. 41-713 and 41-2610 and K.S.A. 2012 Supp. 41-104, 41-308d, 41-311, 41-354, 41-719, 41-2601, 41-2637, 41-2640, 41-2641, 41-2642, 41-2655 and 79-41a02 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER
 JAY SCOTT EMLER
 OLETHA FAUST-GOUDEAU
Conferees on part of Senate

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
 LOUIS E. RUIZ
Conferees on part of House

On motion of Rep. Siegfroid to adopt the conference committee report on **S Sub for HB 2199**, Rep. DeGraaf offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The motion did not prevail.

Rep. Edwards rose on a point of order under House Rule 108, citing Joint Rule 3 which pertains to a conference committee report that contains a bill which has not been acted on by either Chamber. The Rules Chair ruled the conference committee report out of order in its current form (see further action, p. 878 in this Journal).

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2164** 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, in line 5, before "Section" by inserting "New"; in line 9, by striking "regarding citizenship"; in line 10, by striking all before "to"; in line 13, after the period, by inserting "Any such information provided by a jury commissioner to the secretary of state shall be limited to the information regarding citizenship and the full name, current and prior addresses, age and telephone number of the prospective juror, and, if available, the date of birth of the prospective juror."; in line 15, by striking "and the"; by striking all in line 16; in line 17, by striking all before the period; following line 19, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 22-3001 is hereby amended to read as follows: 22-3001. (a) A majority of the district judges in any judicial district may order a grand jury to be summoned in any county in the district when it is determined to be in the public interest.

(b) The district or county attorney in such attorney's county may petition the chief judge or the chief judge's designee in such district court to order a grand jury to be summoned in the designated county in the district to investigate alleged violations of an off-grid felony, a severity level 1, 2, 3 or 4 felony or a drug severity level 1 or 2 felony consider any alleged felony law violation. The attorney general in any judicial district may petition the chief judge or the chief judge's designee in such judicial district to

order a grand jury to be summoned in the designated county in the district to consider any alleged felony law violation if authorized by the district or county attorney in such judicial district or if jurisdiction is otherwise authorized by law. The chief judge or the chief judge's designee in the district court of the county shall then consider the petition and, if it is found that the petition is in proper form, as set forth in this subsection, shall order a grand jury to be summoned within 15 days after receipt of such petition.

(c) (1) A grand jury shall be summoned in any county within 60 days after a petition praying therefor is presented to the district court, bearing the signatures of a number of electors equal to 100 plus 2% of the total number of votes cast for governor in the county in the last preceding election.

(2) The petition, upon its face, shall state the name, address and phone number of the person filing the petition, the subject matter of the prospective grand jury, a reasonably specific identification of areas to be inquired into and sufficient general allegations to warrant a finding that such inquiry may lead to information which, if true, would warrant a true bill of indictment.

(3) The petition shall be in substantially the following form:

The undersigned qualified electors of the county of _____ and state of Kansas hereby request that the district court of _____ county, Kansas, within 60 days after the filing of this petition, cause a grand jury to be summoned in the county to investigate alleged violations of law and to perform such other duties as may be authorized by law.

The signatures to the petition need not all be affixed to one paper, but each paper to which signatures are affixed shall have substantially the foregoing form written or printed at the top thereof. Each signer shall add to such signer's signature such signer's place of residence, giving the street and number or rural route number, if any. One of the signers of each paper shall verify upon oath that each signature appearing on the paper is the genuine signature of the person whose name it purports to be and that such signer believes that the statements in the petition are true. The petition shall be filed in the office of the clerk of the district court who shall forthwith transmit it to the county election officer, who shall determine whether the persons whose signatures are affixed to the petition are qualified electors of the county. Thereupon, the county election officer shall return the petition to the clerk of the district court, together with such election officer's certificate stating the number of qualified electors of the county whose signatures appear on the petition and the aggregate number of votes cast for all candidates for governor in the county in the last preceding election. The judge or judges of the district court of the county shall then consider the petition and, if it is found that the petition is in proper form and bears the signatures of the required number of electors, a grand jury shall be ordered to be summoned.

(4) After a grand jury is summoned pursuant to this subsection, but before it begins deliberations, the judge or judges of the district court of the county in which the petition is presented shall provide instructions to the grand jury regarding its conduct and deliberations, which instructions shall include, but not be limited to, the following:

(A) You have been impaneled as a grand jury pursuant to a citizens' petition filed in this court, signed by (insert number) qualified electors of this county, stating (insert the subject matter described in the petition, including a reasonably specific identification of the areas to be inquired into and the allegations sufficient to warrant a finding that the grand jury's inquiry may lead to information which, if true, would

warrant a true bill of indictment.) You are charged with making inquiry with regard to this subject matter and determining whether the facts support allegations warranting a true bill of indictment.

(B) The person filing the citizens' petition filed in this court must be the first witness you call for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.

(C) You may, with the approval of this court, employ special counsel and investigators, and incur such other expense for services and supplies as you and this court deem necessary. Any special counsel or investigator you employ shall be selected by a majority vote of your grand jury. You may make such selection only after hearing testimony from the person who filed the citizens' petition. You may utilize the services of any special counsel or investigator you employ instead of, or in addition to, the services of the prosecuting attorney.

(D) If any witness duly summoned to appear and testify before you fails or refuses to obey, compulsory process will be issued by this court to enforce the witness' attendance.

(E) If any witness appearing before you refuses to testify or to answer any questions asked in the course of the witness' examination, you shall communicate that fact to this court in writing, together with a statement regarding the question the witness refuses to answer. This court will determine and inform you of whether the witness is bound to answer or not. However, no witness appearing before you can be compelled to make any statement which will incriminate such witness.

(F) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.

(G) At the conclusion of your inquiry and determination, you will return either a no bill of indictment or a true bill of indictment.

(d) The grand jury shall consist of 15 members and shall be drawn, qualified and summoned in the same manner as petit jurors for the district court. Twelve members thereof shall constitute a quorum. The judge or judges ordering the grand jury shall direct that a sufficient number of legally qualified persons be summoned for service as grand jurors.

Sec. 3. K.S.A. 22-3002 is hereby amended to read as follows: 22-3002. ~~(+)~~(a) The prosecuting attorney may challenge the array of jurors on the ground that the grand jury was not selected, drawn or summoned in accordance with law, and may challenge an individual juror on the ground that the juror is not legally qualified. Challenges by the state shall be made before the administration of the oath to the jurors and shall be tried by the court.

~~(2)~~(b) A motion to dismiss the indictment made by the defendant may be based on objections to the array or on the lack of legal qualification of an individual juror. An indictment shall not be dismissed on the ground that one or more members of the grand jury were not legally qualified if it appears from the record kept pursuant to K.S.A. 22-3004, and amendments thereto, that 12 or more jurors, after deducting the jurors not legally qualified, concurred in finding the indictment.

(c) After the prosecutor has conducted an examination of the prospective grand jurors under this section, a list of all remaining legally qualified grand jurors shall be

approved by the court and submitted to the clerk of the court of such county for a second drawing of grand juror names pursuant to K.S.A. 43-107, and amendments thereto.

Sec. 4. K.S.A. 22-3003 is hereby amended to read as follows: 22-3003. (a) An oath or affirmation shall be administered to the presiding juror of the grand jury, in substance as follows:

"You, as presiding juror of the grand jury, shall diligently inquire, and true presentment make, of all public offenses against the laws of this state cognizable by this court, committed or triable within this county, of which you have or can obtain legal evidence. You shall present no person through malice, hatred or ill will, nor leave any unpresented through fear, favor or affection, or for any reward or the promise of hope thereof, but in all your presentments you shall present the truth, the whole truth, and nothing but the truth, according to the best of your skill and understanding."

(b) Other members of the grand jury shall be administered the following oath:

"The same oath or affirmation, which your presiding juror has taken now before you on the presiding juror's part, you and each of you shall well and truly observe on your part."

Sec. 5. K.S.A. 22-3004 is hereby amended to read as follows: 22-3004. (a) The court shall appoint one of the jurors to be presiding juror and another to be deputy presiding juror.

(b) The presiding juror shall have power to administer oaths and affirmations and shall sign all indictments.

(c) The presiding juror or another juror designated by the presiding juror shall keep a record of the name of each juror concurring in the finding of every indictment and shall file the record with the clerk of the court, but the record shall not be made public except on order of the court.

(d) During the absence of the presiding juror, the deputy presiding juror shall act as presiding juror.

Sec. 6. K.S.A. 22-3005 is hereby amended to read as follows: 22-3005. ~~(+)~~ (a) When a grand jury is impaneled and sworn, it shall be charged by the judge who summoned it. In so doing, the judge shall give the grand jurors such information as ~~he~~ the judge deems proper and as is required by law, as to their duties, and as to any charges of crimes known to the court and likely to come before the grand jury.

~~(2)~~ (b) When the grand jury has been impaneled, sworn and charged, it shall retire to a private room, and inquire into the crimes cognizable by it.

Sec. 7. K.S.A. 22-3006 is hereby amended to read as follows: 22-3006. ~~(+)~~ (a) Persons summoned for service as grand jurors shall be compensated for their service and expenses at the rates provided by law for the compensation of petit jurors in the district court. Such compensation shall be paid from the general fund of the county.

~~(2)~~ (b) The grand jury shall employ a certified shorthand reporter who shall make a stenographic record of all testimony and other proceedings before the grand jury. The compensation of the reporter shall be fixed by the district court and paid from the general fund of the county.

~~(3)~~ (c) The grand jury may, with the approval of the district court, ~~employ special counsel, investigators, and incur such other expense~~ employ investigators and, except in the case of grand juries impaneled pursuant to subsection (b) of K.S.A. 22-3001, and amendments thereto, employ special counsel. The grand jury may also incur other

expenses for services and supplies as it and the district court may deem necessary. Compensation for such services and supplies shall be fixed by the district court and shall be paid from the general fund of the county. Any special counsel or investigator employed by the grand jury shall be selected by majority vote of such grand jury only after hearing testimony from the person filing the petition pursuant to K.S.A. 22-3001, and amendments thereto. Subject to the provisions of this section, the grand jury shall have all authority to investigate any concerns associated with such petition.

Sec. 8. K.S.A. 22-3007 is hereby amended to read as follows: 22-3007. ~~(+)(a)~~ In the case of grand juries impaneled pursuant to subsection (a) or (c) of K.S.A. 22-3001, and amendments thereto, the prosecuting attorney shall:

~~(1) When requested by any grand jury it shall be the duty of the prosecuting attorney to, attend sessions thereof for the purpose of examining witnesses or giving the grand jury advice upon any legal matter; and~~

~~(2) The prosecuting attorney shall, upon his upon such attorney's request, be permitted to appear before the grand jury for the purpose of giving information relative to any matter cognizable by the grand jury, and may be permitted to interrogate witnesses if the grand jury deems it necessary.~~

(b) In the case of grand juries impaneled pursuant to subsection (b) of K.S.A. 22-3001, and amendments thereto, the prosecuting attorney shall:

(1) Attend all sessions thereof and inform the grand jury of all offenses liable to indictment and evidence of which will be presented to them for consideration;

(2) present witnesses and examine such witnesses on all matters to be considered by the grand jury; and

(3) give the grand jury advice upon all questions related to the proper discharge of their duties.

Sec. 9. K.S.A. 2012 Supp. 22-3008 is hereby amended to read as follows: 22-3008. ~~(+)(a)~~ Whenever required by any grand jury, its presiding juror or the prosecuting attorney, the clerk of the court in which the jury is impaneled shall issue subpoenas and other process to bring witnesses to testify before the grand jury. The person who filed the petition pursuant to K.S.A. 22-3001, and amendments thereto, shall be the first witness called by the grand jury for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.

~~(2)(b)~~ If any witness duly summoned to appear and testify before a grand jury fails or refuses to obey, compulsory process shall be issued to enforce the witness' attendance, and the court may punish the delinquent in the same manner and upon the same proceedings as provided by law for disobedience of a subpoena issued out of the court in other cases.

~~(3)(c)~~ If any witness appearing before a grand jury refuses to testify or to answer any questions asked in the course of the witness' examination, the fact shall be communicated to a district judge of the judicial district in writing, on which the question refused to be answered shall be stated. The judge shall then determine whether the witness is bound to answer or not, and the grand jury shall be immediately informed of the decision.

~~(4)(d)~~ No witness before a grand jury shall be required to incriminate the witness' self.

~~(5)(a)(e)(1)~~ The county or district attorney, or the attorney general, at any time, on behalf of the state, and the district judge, upon determination that the interest of

justice requires, and after giving notice to the prosecuting attorney and hearing the prosecuting attorney's recommendations on the matter, may grant in writing to any person:

(+) (A) Transactional immunity. Any person granted transactional immunity shall not be prosecuted for any crime which has been committed for which such immunity is granted or for any other transactions arising out of the same incident.

(+) (B) Use and derivative immunity. Any person granted use and derivative use immunity may be prosecuted for any crime, but the state shall not use any testimony against such person provided under a grant of such immunity or any evidence derived from such testimony. Any defendant may file with the court a motion to suppress in writing to prevent the state from using evidence on the grounds that the evidence was derived from and obtained against the defendant as a result of testimony or statements made under such grant of immunity. The motion shall state facts supporting the allegations. Upon a hearing on such motion, the state shall have the burden to prove by clear and convincing evidence that the evidence was obtained independently and from a collateral source.

(+) (2) Any person granted immunity under either or both of subsections (5)(a)(+) or (ii) (e)(1)(A) or (e)(1)(B) may not refuse to testify on grounds that such testimony may self incriminate unless such testimony may form the basis for a violation of federal law for which immunity under federal law has not been conferred. No person shall be compelled to testify in any proceeding where the person is a defendant.

(+) (3) No immunity shall be granted for perjury as provided in K.S.A. 2012 Supp. 21-5903, and amendments thereto, which was committed in giving such evidence.

(+) (f) If the judge determines that the witness must answer and if the witness persists in refusing to answer, the witness shall be brought before the judge, who shall proceed in the same manner as if the witness had been interrogated and had refused to answer in open court.

(g) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.

Sec. 10. K.S.A. 22-3009 is hereby amended to read as follows: 22-3009. (+) (a) Any person called to testify before a grand jury must be informed that he such person has a right to be advised by counsel and that he may such person shall not be required to make any statement which will incriminate him such person. Upon a request by such person for counsel, no further examination of the witness shall take place until counsel is present. In the event that counsel of the witness' choice is not available, he the witness shall be required to obtain other counsel within three (3) days in order that the work of the grand jury may proceed. If such person is indigent and unable to obtain the services of counsel, the court shall appoint counsel to assist him such person who shall be compensated as counsel appointed for indigent defendants in the district court.

(2) (b) Counsel for any witness may be present while the witness is testifying and may interpose objections on behalf of the witness. He Such counsel shall not be permitted to examine or cross-examine his such counsel's client or any other witness before the grand jury.

Sec. 11. K.S.A. 22-3010 is hereby amended to read as follows: 22-3010.

Prosecuting attorneys, special counsel employed by the grand jury, the witness under examination and ~~his such witness'~~ counsel, interpreters when needed and, for the purpose of taking the evidence, the reporter for the grand jury, may be present while the grand jury is in session, but no person other than the jurors may be present while the grand jury is deliberating or voting.

Sec. 12. K.S.A. 22-3011 is hereby amended to read as follows: 22-3011. ~~(+)~~ (a) An indictment may be found only on the concurrence of 12 or more grand jurors. When an indictment is found, the presiding juror shall endorse thereon "a true bill" and shall sign the presiding juror's name as presiding juror.

~~(2)~~ (b) When 12 or more grand jurors do not concur in finding an indictment, the presiding juror shall certify that the indictment is "not a true bill."

~~(3)~~ (c) Indictments found by the grand jury shall be presented by its presiding juror, in the jury's presence, to the court and shall be filed and remain as records of the court.

Sec. 13. K.S.A. 22-3012 is hereby amended to read as follows: 22-3012. (a) Disclosure of matters occurring before the grand jury other than its deliberations and the vote of any juror ~~may shall~~ be made to the prosecuting attorney for use in the performance of ~~his such attorney's~~ duties.

(b) ~~Otherwise a juror, attorney, interpreter, reporter or any typist who transcribes recorded testimony may shall not disclose matters occurring before the grand jury only when so directed by the court preliminarily to or in connection with a judicial proceeding or when permitted by the court at the request of the defendant upon a showing that grounds may exist for a motion to dismiss the indictment because of matters occurring before the grand jury except, upon court order:~~

(1) ~~The testimony of a witness before the grand jury may be disclosed to a defendant to determine whether it is consistent with testimony given before the court, but only upon a showing of good cause;~~

(2) ~~evidentiary materials presented to one grand jury may be disclosed to a succeeding grand jury; and~~

(3) ~~grand jury testimony by a defendant may be disclosed to such defendant, but only in the criminal action resulting from such testimony.~~

(c) ~~No obligation of secrecy may be imposed upon any person except in accordance with this rule section.~~ The court may direct that an indictment shall be kept secret until the defendant is in custody or has given bail, and in that event the clerk shall seal the indictment and no person shall disclose the finding of the indictment except when necessary for the issuance and execution of a warrant or summons.

Sec. 14. K.S.A. 22-3013 is hereby amended to read as follows: 22-3013. ~~(+)~~ (a) A grand jury ~~impaneled pursuant to subsection (a) or (c) of K.S.A. 22-3001, and amendments thereto,~~ shall serve until it shall advise the court in writing that it has completed its investigation, but ~~no such~~ grand jury shall serve for more than three months unless extended by order of the district court. The district court may, before the expiration of the tenure of ~~a such~~ grand jury, make an order extending such grand jury for an additional period of not to exceed three months if the court finds that an investigation begun by ~~the such~~ grand jury cannot be completed within the initial three months period and that the public interest requires the continuation of ~~the such~~ grand jury.

(b) ~~A grand jury impaneled pursuant to subsection (b) of K.S.A. 22-3001, and~~

amendments thereto, shall serve for a period of six months. The district court may, before the expiration of the tenure of such grand jury, make an order extending such grand jury for an additional period of not to exceed six months upon good cause shown by such grand jury.

(2) (c) At any time for cause shown the court may excuse a juror either temporarily or permanently, and in the latter event the court may impanel another person in place of the juror excused.

Sec. 15. K.S.A. 22-3014 is hereby amended to read as follows: 22-3014. (a) Witnesses attending a grand jury in response to a subpoena shall be allowed the same fees as are allowed witnesses in criminal cases in the district court.

(b) ~~The Such witness~~ fees shall be paid from the general fund of the county upon a certificate of attendance signed by the presiding juror of the grand jury.

New Sec. 16. (a) *Matters of form, time, place, names.* At any time before or during trial, the court may, upon application of the people and with notice to the defendant and opportunity for the defendant to be heard, order the amendment of an indictment with respect to defects, errors or variances from the proof relating to matters of form, time, place and names of persons when such amendment does not change the substance of the charge, and does not prejudice the defendant on the merits. Upon ordering an amendment, the court, for good cause shown, may grant a continuance to provide the defendant adequate opportunity to prepare a defense.

(b) *Prohibition as to matters of substance.* An indictment shall not be amended as to the substance of the offense charged.

(c) This section shall be part of and supplemental to article 30 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 17. K.S.A. 2012 Supp. 43-107 is hereby amended to read as follows: 43-107. (a) At least 30 days before service is required, the clerk of the court of the county where such court is to be held shall draw from the jury box the names of 30 persons to serve as grand jurors and the names of 24 persons to serve as petit jurors. In the event that a county has appropriate base information programmed as a part of its computer operations so that it might comply with the spirit of the jury selection laws of Kansas, the jury commissioners may by local rule provide alternate methods for securing jury panels directly from the computer without the necessity of drawing names or cards from a wheel manually.

(b) Upon receipt of a list of all remaining legally qualified grand jurors from the court pursuant to K.S.A. 22-3002, and amendments thereto, the clerk of the court of the county where such court is to be held shall draw for a second time 15 names of persons to serve as grand jurors from such list. In the event that the county in which court is to be held has an alternate method for securing jury panels directly from the computer, the clerk shall use the computer to generate 15 names of persons to serve as grand jurors from such list.

New Sec. 18. (a) Upon a majority vote of the grand jury, the grand jury may seek the removal of the assigned judge pursuant to K.S.A. 20-311d, and amendments thereto.

(b) This section shall be part of and supplemental to article 30 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 19. K.S.A. 22-3002, 22-3003, 22-3004, 22-3005, 22-3006, 22-3007, 22-3009, 22-3010, 22-3011, 22-3012, 22-3013 and 22-3014 and K.S.A. 2012 Supp. 22-3001, 22-3008 and 43-107 are hereby repealed.";

And by redesignating sections accordingly;

On page 1, in the title, in line 1, by striking "jurors" and inserting "juries"; in line 2, following "service" by inserting "; grand juries; amending K.S.A. 22-3002, 22-3003, 22-3004, 22-3005, 22-3006, 22-3007, 22-3009, 22-3010, 22-3011, 22-3012, 22-3013 and 22-3014 and K.S.A. 2012 Supp. 22-3001, 22-3008 and 43-107 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

ROB BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2164** was adopted.

On roll call, the vote was: Yeas 92; Nays 28; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bridges, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Nays: Alcalá, Ballard, Bollier, Burroughs, Carlin, Clayton, Davis, Dillmore, Doll, Finney, Frownfelter, Gandhi, Henderson, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sloop, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 171** 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 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 11, and inserting:

"New Section 1. (a) For school year 2013-2014 and school year 2014-2015, the following amount shall be transferred from the supplemental general fund of a district to the general fund of a district: The difference between (1) the amount equal to the product obtained by multiplying \$4,264 by the adjusted enrollment; and (2) the amount equal to the product obtained by multiplying \$3,838 by the adjusted enrollment. Such amount shall be funded by the district's local operating budget in accordance with K.S.A. 72-6433, and amendments thereto.

(b) This section shall be part of and supplemental to the school district finance and quality performance act as provided in K.S.A. 72-6405 et seq., and amendments thereto.

Sec. 2. K.S.A. 2012 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) (A) 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.

(B) 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) For purposes of this paragraph (4), a special teacher, qualified to assist in the provision of special education and related services to exceptional children, who assists in providing special education and related services to exceptional children at either the state school for the blind or the state school for the deaf and whose services are paid for by a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments thereto, shall be considered a special teacher of such school district.

(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.

Sec. 3. K.S.A. 2012 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 section 1, 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. 4. K.S.A. 2012 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~~ \$4,264 in school year ~~2008-2009~~ 2013-2014 and school year 2014-2015 and ~~\$4,492~~ in school year ~~2009-2010~~ 2015-2016 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 of the district to the general fund of the district in accordance with section 1, 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 the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the 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. 5. K.S.A. 2012 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. 6. K.S.A. 2012 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) 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 and which shall be at least the amount required under section 1, and amendments thereto.

(c) Subject to ~~the limitation of~~ subsection (b), 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 (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 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~~ operating 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~~ operating budget shall be continuous and permanent. The board of any district which is authorized to adopt a local ~~option~~ operating 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~~ operating budget is not continuous and permanent refrains from adopting a local ~~option~~ operating budget, the authority of such district to adopt a local ~~option~~ operating 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~~ operating 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~~ 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.

(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.

(m) The provisions of this section shall be subject to the provisions of K.S.A. 2012 Supp. 72-6433d, and amendments thereto.

Sec. 7. K.S.A. 2012 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 budget which does not exceed the local ~~option~~ operating budget calculated as if the base state aid per pupil was \$4,433, or which does not exceed the local ~~option~~ operating budget as calculated pursuant to K.S.A. 72-6433, and amendments thereto, whichever is greater.

(b) The board of education of any school district may adopt a local ~~option~~ operating budget which does not exceed the local ~~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 the local ~~option~~ operating 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. 8. K.S.A. 2012 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 budget is eligible for entitlement to an amount of supplemental general state aid. Except as provided by K.S.A. 2012 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 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. 9. K.S.A. 2012 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. 10. K.S.A. 2012 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. 2012 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. 11. 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. 12. K.S.A. 2012 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. 13. K.S.A. 2012 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. 14. K.S.A. 2012 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.

Sec. 15. K.S.A. 72-6444 and K.S.A. 2012 Supp. 72-978, 72-978a, 72-6409, 72-6410, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451 and 72-6456 are hereby repealed.";

And by redesignating sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking all in line 2; in line 3, by striking all before the period and inserting "school finance; amending K.S.A. 72-6444 and K.S.A. 2012 Supp. 72-978, 72-6409, 72-6410, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451 and 72-6456 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 72-978a";

And your committee on conference recommends the adoption of this report.

WARD CASSIDY

AMANDA GROSSERODE

Conferees on part of House

STEVE E. ABRAMS

TOM ARPKE

Conferees on part of Senate

On motion of Rep. Cassidy, the conference committee report on **SB 171** was adopted.

On roll call, the vote was: Yeas 63; Nays 57; Present but not voting: 0; Absent or not voting: 5.

Yeas: Barker, Bideau, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Claeys, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand,

Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Boldra, Bollier, Bridges, Burroughs, Carlin, Cassidy, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Kelly, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Schroeder, Schwartz, Sloan, Sloop, Swanson, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 122** 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 25 and inserting:

"Section 1. K.S.A. 25-2422 is hereby amended to read as follows: 25-2422. (a) Unauthorized voting disclosure is, while being charged with any election duty, intentionally:

(a)(1) ~~Disclosing or exposing the contents of any ballot or the manner in which the ballot has been voted, whether cast in a regular or provisional manner, or the name of any voter who cast such ballot, except as ordered by a court of competent jurisdiction- in an election contest pursuant to K.S.A. 25-1434 et seq., and amendments thereto; or~~

(b)(2) ~~endeavoring to induce inducing or attempting to induce~~ any voter to show how the voter marks or has marked the voter's ballot.

(b) The name of any voter who has cast a ballot shall not be disclosed from the time the ballot is cast until the final canvass of the election by the county board of canvassers.

(c) Nothing in this section shall prohibit the disclosure of the names of persons who have voted advance ballots.

(d) Nothing in this section shall prohibit authorized poll agents from observing elections as authorized by K.S.A. 25-3004, 25-3005 and 25-3005a, and amendments thereto.

(e) Unauthorized voting disclosure is a severity level 10, nonperson felony.

Sec. 2. K.S.A. 25-2422 is hereby repealed."

Also on page 1, in the title, in line 1, by striking all after "concerning"; in line 2 by striking "order or notice;" and inserting "elections; relating to unauthorized voting disclosures;"; also in line 2, by striking "2012 Supp. 77-531" and inserting "25-2422";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

ROB BRUCHMAN

Conferees on part of House

JEFF KING

GREG SMITH

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 122** was adopted.

On roll call, the vote was: Yeas 89; Nays 31; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Schroeder, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2339** 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 14, by inserting:

"New Sec. 2. (a) (1) Except as provided in paragraph (2), whenever a state agency or municipality provides for the payment of premiums for any health benefit plan for law enforcement officers employed by such state agency or such municipality, the state agency or municipality shall pay premiums for the continuation of coverage under COBRA for the surviving spouse and eligible dependent children under the age of 26 years of a law enforcement officer who dies in the line of duty. Premiums for continuation of coverage under COBRA shall be paid for 18 months.

(2) Neither the state agency nor the municipality may 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 law enforcement officer;

(B) upon the remarriage of the deceased law enforcement officer's surviving spouse; or

(C) upon the deceased law enforcement officer's surviving spouse reaching the age of 65.

(b) For the purposes of this section:

(1) "Health benefit plan" shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(2) "Law enforcement officer" means an employee employed by a law enforcement agency and:

(A) Whose principal duties are engagement in the enforcement of law and maintenance of order within this state and its political subdivisions; and

(B) who is certified pursuant to the provisions of the Kansas law enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

(3) "Municipality" means city, county or township.

(4) "State agency" shall have the meaning ascribed to such term in K.S.A. 75-3701, and amendments thereto.

Sec. 3. K.S.A. 2012 Supp. 40-1709 is hereby amended to read as follows: 40-1709. (a) (1) Except as provided in ~~paragraphs (2) and (3)~~ paragraph (2), 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 eligible dependent children under the age of 26 years 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. 4. K.S.A. 2012 Supp. 40-4903 is hereby amended to read as follows: 40-4903. (a) Unless denied licensure pursuant to K.S.A. 2012 Supp. 40-4909, and

amendments thereto, any person who meets the requirements of K.S.A. 2012 Supp. 40-4905, and amendments thereto, shall be issued an insurance agent license. An insurance agent may receive qualifications for a license in one or more of the following lines of authority:

(1) Life — insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.

(2) Accident and health or sickness — insurance coverage for sickness, bodily injury or accidental death and may include benefits for disability income.

(3) Property — insurance coverage for the direct or consequential loss or damage to property of every kind.

(4) Casualty — insurance coverage against legal liability, including that for death, injury or disability or damage to real or personal property.

(5) Variable life and variable annuity products — insurance coverage provided under variable life insurance contracts, variable annuities or any other life insurance or annuity product that reflects the investment experience of a separate account.

(6) Personal lines — property and casualty insurance coverage sold primarily to an individual or family for noncommercial purposes.

(7) Credit — limited line credit insurance.

(8) Crop insurance — limited line insurance for damage to crops from unfavorable weather conditions, fire, lightning, flood, hail, insect infestation, disease or other yield-reducing conditions or any other peril subsidized by the federal crop insurance corporation, including multi-peril crop insurance.

(9) Title insurance — limited line insurance that insures titles to property against loss by reason of defective titles or encumbrances.

(10) Travel insurance — limited line insurance for personal risks incidental to planned travel, including, but not limited to:

(A) Interruption or cancellation of trip or event;

(B) loss of baggage or personal effects;

(C) damages to accommodations or rental vehicles; or

(D) sickness, accident, disability or death occurring during travel. Travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, for example, persons working overseas including military personnel deployed overseas.

(11) Pre-need funeral insurance — limited line insurance that allows for the purchase of a life insurance or annuity contract by or on behalf of the insured solely to fund a pre-need contract or arrangement with a funeral home for specific services.

(12) Bail bond insurance — limited line insurance that provides surety for a monetary guarantee that an individual released from jail will be present in court at an appointed time.

~~(8)~~ (13) Any other line of insurance permitted under the provisions of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations promulgated thereunder.

(b) Unless suspended, revoked or refused renewal pursuant to K.S.A. 2012 Supp. 40-4909, and amendments thereto, an insurance agent license shall remain in effect as long as education requirements for resident individual agents are met by such insurance agent's biennial due date.

(c) On and after the effective date of this act: (1) Each licensed insurance agent who is an individual and holds a property or casualty qualification, or both, or a personal lines qualification shall biennially obtain a minimum of 12 C.E.C.'s in courses certified as property and casualty which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.'s shall be in insurance agency management.

(2) Each licensed insurance agent who is an individual and holds a life, accident and health, or variable contracts qualification, or any combination thereof, shall biennially complete 12 C.E.C.'s in courses certified as life, accident and health, or variable contracts which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.'s shall be in insurance agency management.

(3) Each licensed insurance agent who is an individual and holds only a crop-~~only~~ qualification shall biennially obtain a minimum of two C.E.C.'s in courses certified as crop C.E.C.s under the property and casualty category.

(4) Each licensed insurance agent who is an individual and is licensed only for title insurance shall biennially obtain a minimum of four C.E.C.'s in courses certified by the board of abstract examiners as title under the property and casualty category.

(5) Each licensed insurance agent who is an individual and holds a life insurance license solely for the purpose of selling ~~life pre-need funeral~~ insurance or annuity products ~~used to fund a prearranged funeral program and whose report of compliance required by subsection (g) is accompanied by a certification from an officer of each insurance company represented by such agent certifying that such agent transacted no other insurance business during the period covered by the report shall biennially obtain a minimum of two C.E.C.'s in courses certified as life or variable contracts under the life, accident and health or variable contracts category shall file a report on or before such agent's biennial due date affirming that such agent transacted no other insurance business during the period covered by the report. Upon request of the commissioner, an agent shall provide certification from an officer of each insurance company which has appointed such agent that the agent transacted no other insurance business during the period covered by the report. Agents who have offered to sell or sold only pre-need funeral insurance are exempt from the requirement to obtain C.E.C.s.~~

(6) Each licensed insurance agent who is an individual and holds only a bail bond qualification is exempt from the requirement to obtain C.E.C.s.

(d) On and after the effective date of this act, each individual insurance agent who holds a license with both a property or casualty qualification, or both, and a life, accident and health or variable contracts qualification, or any combination thereof, and who ~~earn~~ earns C.E.C.'s from courses certified by the commissioner as qualifying for credit in any class, may apply, at such insurance agent's option, such C.E.C.'s toward either the property or casualty continuing education requirement or to the life, accident and health or variable contracts continuing education requirement. However, no C.E.C. shall be applied to satisfy both the biennial property or casualty requirement, or both, and the biennial requirement for life, accident and health or variable contracts, or any combination thereof.

(e) An instructor of an approved subject shall be entitled to the same C.E.C. as a student completing the study.

(f) (1) An individual insurance agent who has been licensed for more than one

year, on or before such insurance agent's biennial due date, shall file a report with the commissioner certifying that such insurance agent has met the continuing education requirements for the previous biennium ending on such insurance agent's biennial due date. Each individual insurance agent shall maintain a record of all courses attended together with a certificate of attendance for the remainder of the biennium in which the courses were attended and the entire next succeeding biennium.

(2) If the required report showing proof of continuing education completion is not received by the commissioner by the individual insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall be suspended automatically for a period of 90 calendar days or until such time as the producer satisfactorily demonstrates completion of the continuing education requirement whichever is sooner. In addition the commissioner shall assess a penalty of \$100 for each license suspended. If such insurance agent fails to furnish to the commissioner the required proof of continuing education completion and the monetary penalty within 90 calendar days of such insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall expire on such insurance agent's biennial due date. If after more than three but less than 12 months from the date the license expired, the insurance agent wants to reinstate such insurance agent's license, such individual shall provide the required proof of continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. If after more than 12 months from the date an insurance agent's license has expired, such insurance agent wants to reinstate such insurance agent's license, such individual shall apply for an insurance agent's license, provide the required proof of continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. Upon receipt of a written application from such insurance agent claiming extreme hardship, the commissioner may waive any penalty imposed under this subsection.

(3) On and after the effective date of this act, any applicant for an individual insurance agent's license who previously held a license which expires on or after June 30, 2001, because of failure to meet continuing education requirements and who seeks to be relicensed shall provide evidence that appropriate C.E.C.'s have been completed for the prior biennium.

(4) Upon receipt of a written application from an individual insurance agent, the commissioner, in cases involving medical hardship or military service, may extend the time within which to fulfill the minimum continuing educational requirements for a period of not to exceed 180 days.

(5) This section shall not apply to any inactive insurance agent during the period of such inactivity. For the purposes of this paragraph, "inactive period" or "period of inactivity" shall mean a continuous period of time of not less than two years and not more than four years starting from the date inactive status is granted by the commissioner. Before returning to active status, such inactive insurance agent shall:

(A) File a report with the commissioner certifying that such agent has met the continuing education requirement; and

(B) pay the renewal fee. If the required proof of continuing education completion and the renewal fee is not furnished at the end of the inactive period, such individual insurance agent's qualification and each and every corresponding license shall expire at the end of the period of inactivity. For issuance of a new license, the individual shall

apply for a license and pass the required examination.

(6) Any individual who allows such individual's insurance agent license in this state and all other states in which such individual is licensed as an insurance agent to expire for a period of four or more consecutive years, shall apply for a new insurance agent license and pass the required examination.

(g) (1) Each course, program of study, or subject shall be submitted to and certified by the commissioner in order to qualify for purposes of continuing education.

(2) Each request for certification of any course, program of study or subject shall contain the following information:

- (A) The name of provider or provider organization;
- (B) the title of such course, program of study or subject;
- (C) the date the course, program of study or subject will be offered;
- (D) the location where the course, program of study or subject will be offered;
- (E) an outline of each course, program of study or subject including a schedule of times when such material will be presented;
- (F) the names and qualifications of instructors;
- (G) the number of C.E.C.'s requested; ~~and~~
- (H) a nonrefundable C.E.C. qualification fee in the amount of \$50 per course, program of study or subject or \$250 per year for all courses, programs of study or subjects submitted by a specific provider or provider organization; and

(I) a nonrefundable annual provider fee of \$100.

(3) Upon receipt of such information, the commissioner shall grant or deny certification of any submitted course, program of study or subject as an approved subject, program of study or course and indicate the number of C.E.C.'s that will be recognized for each approved course, program of study or subject. Each approved course, program of study or subject shall be assigned by the commissioner to one or both of the following classes:

- (A) Property and casualty; or
- (B) life insurance ~~(including annuity and variable contracts)~~, and accident and health insurance.

(4) Each course, program of study or subject shall have a value of at least one C.E.C.

(5) Each provider seeking approval of a course, program of study or subject for continuing education credit shall issue or cause to be issued to each person who attends a course, program of study or subject offered by such provider a certificate of attendance. The certificate shall be signed by either the instructor who presents the course, program of study or course or such provider's authorized representative. Each provider shall maintain a list of all individuals who attend courses offered by such provider for continuing education credit for the remainder of the biennium in which the courses are offered and the entire next succeeding biennium.

The commissioner shall accept, without substantive review, any course, program of study or subject submitted by a provider which has been approved by the insurance supervisory authority of any other state or territory accredited by the NAIC. The commissioner may disapprove any individual instructor or provider who has been the subject of disciplinary proceedings or who has otherwise failed to comply with any other state's or territory's laws or regulations.

(6) The commissioner may grant or approve any specific course, program of

study or course that has appropriate merit, such as any course, programs of study or course with broad national or regional recognition, without receiving any request for certification. The fee prescribed by paragraph (2) of subsection (g) shall not apply to any approval granted pursuant to this provision.

(7) The C.E.C. value assigned to any course, program of study or subject, other than a correspondence course, computer based training, interactive internet study training or other course pursued by independent study, shall in no way be contingent upon passage or satisfactory completion of any examination given in connection with such course, program of study or subject. The commissioner shall establish, by rules and regulations criteria for determining acceptability of any method used for verification of the completion of each stage of any computer based or interactive internet study training. Completion of any computer based training or interactive internet study training shall be verified in accordance with a method approved by the commissioner.

(h) Upon request, the commissioner shall provide a list of all approved continuing education courses currently available to the public.

(i) An individual insurance agent who independently studies an insurance course, program of study or subject which is not ~~a~~ an agent's examination approved by the commissioner and who passes an independently monitored examination, shall receive credit for the C.E.C.'s assigned by the commissioner as recognition for the approved subject. No other credit shall be given for independent study.

(j) Any licensed individual insurance agent who is unable to comply with license renewal procedures due to military service or some other extenuating circumstances may request a waiver of those procedures from the commissioner. Such agent may also request from the commissioner a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.";

And by renumbering sections accordingly;

Also on page 5, in line 15, by striking "is" and inserting ", 40-1709 and 40-4903 are";

On page 1, in the title, in line 3, by striking "life"; in line 4, after the semicolon by inserting "pertaining to continuation of health insurance for spouse and dependent children of firefighters and law enforcement officers; relating to line of insurance and reporting requirements;"; in line 5, after "40-401" by inserting ", 40-1709 and 40-4903"; also in line 5, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

ROB OLSON

JEFF LONGBINE

TOM HAWK

Conferees on part of Senate

CLARK SHULTZ

PHIL HERMANSON

GAIL FINNEY

Conferees on part of House

On motion of Rep. Shultz to adopt the conference committee report on **HB 2339**, Rep. Peck offered a substitute motion to not adopt the conference committee report and

that a new conference committee be appointed.

Rep. Rooker rose on a point of order, under House Rule 108, citing Joint Rule 3 and that the report contained a bill not passed by either Chamber. The Rules Vice-Chair ruled the conference committee report was in order because the bill was passed by the Senate in this conference committee report.

The question reverted back to the substitute motion of Rep. Peck, which did not prevail.

The question then reverted back to the original motion of Rep. Shultz and the conference committee report was adopted.

On roll call, the vote was: Yeas 116; Nays 4; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dove, Peck, Schwab, Sutton.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

The House stood at ease until the sound of the gavel.

Speaker pro tem Mast called the House to order.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2017** 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:

"New Sec. 7. (a) As used in this section:

(1) "Nudity" means the showing, unclothed or with less than a fully opaque covering, of the human male or female genitals, pubic area, buttocks or female breast below a point immediately above the top of the areola.

(2) "Pornographic materials" means sexual devices or books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video

presentations, computer-generated images or pictures, slides or other visual representations, whether made or produced by electronic, mechanical or other means, which depict, describe or simulate sexually explicit conduct or nudity.

(3) "Sexually explicit conduct" means acts of masturbation, sexual intercourse, sodomy, sadomasochistic abuse or physical contact with a person's clothed or unclothed genitals, pubic area or buttocks or with a human female's breast.

(4) "Sexually violent crime" means the same as in K.S.A. 22-4902, and amendments thereto.

(b) The Kansas bureau of investigation will work with the office of the attorney general and with state and local law enforcement to identify a process to uniformly report data to the central repository enabling the production of a report generated at least annually to identify the total number of sexually violent crimes reported and the number of such crimes where pornographic materials are seized or documented as evidence. This process shall be in place within one year of the implementation of a capable central repository system.

(c) Reports of materials found pursuant to the provisions of subsection (b) shall be used for statistical purposes only.

(d) Upon implementation of a central repository system, the Kansas bureau of investigation shall:

(1) Make the necessary changes to the Kansas standard offense report and the Kansas incident based reporting system handbook; and

(2) promulgate rules and regulations concerning the training for law enforcement agencies to implement the provisions of this section.

(e) Nothing in this section shall be construed to expand the scope of the officer's search.

(f) The provisions of this section are subject to appropriations.";

And by redesignating sections accordingly;

On page 1, in the title, in line 3, after "warrants;" by inserting "sexually violent crimes; law enforcement reports on the presence of pornographic materials;"

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

ROB BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **Sub HB 2017** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford,

Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2093** submits the following report:

The Senate recesses 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 1, following line 6, by inserting:

"Section 1. K.S.A. 21-2512 is hereby amended to read as follows: 21-2512. (a) Notwithstanding any other provision of law, a person in state custody, at any time after conviction for murder in the first degree as defined by K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto, or for rape as defined by K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto, may petition the court that entered the judgment for forensic DNA testing (deoxyribonucleic acid testing) of any biological material that:

- (1) Is related to the investigation or prosecution that resulted in the conviction;
- (2) is in the actual or constructive possession of the state; and
- (3) was not previously subjected to DNA testing, or can be subjected to retesting with new DNA techniques that provide a reasonable likelihood of more accurate and probative results.

(b) (1) The court shall notify the prosecuting attorney of a petition made under subsection (a) and shall afford the prosecuting attorney an opportunity to respond.

(2) Upon receiving notice of a petition made under subsection (a), the prosecuting attorney shall take such steps as are necessary to ensure that any remaining biological material that was secured in connection with the case is preserved pending the completion of proceedings under this section.

(c) The court shall order DNA testing pursuant to a petition made under subsection (a) upon a determination that testing may produce noncumulative, exculpatory evidence relevant to the claim of the petitioner that the petitioner was wrongfully convicted or sentenced.

(d) The cost of DNA testing ordered under subsection (c) shall be borne by the state or the petitioner, as the court may order in the interests of justice, if it is shown that the petitioner is not indigent and possesses the means to pay.

(e) The court may at any time appoint counsel for an indigent applicant under this section.

(f) (1) Except as provided in subsection (f)(3), if the results of DNA testing conducted under this section are unfavorable to the petitioner, the court:

(A) Shall dismiss the petition; and

(B) in the case of a petitioner who is not indigent, may assess the petitioner for the cost of such testing.

(2) If the results of DNA testing conducted under this section are favorable to the petitioner and are of such materiality that a reasonable probability exists that the new evidence would result in a different outcome at trial or sentencing, the court shall:

(A) Order a hearing, notwithstanding any provision of law that would bar such a hearing; and

(B) enter any order that serves the interests of justice, including, but not limited to, an order:

(i) Vacating and setting aside the judgment;

(ii) discharging the petitioner if the petitioner is in custody;

(iii) resentencing the petitioner; or

(iv) granting a new trial.

(3) If the results of DNA testing conducted under this section are inconclusive, the court may order a hearing to determine whether there is a substantial question of innocence. If the petitioner proves by a preponderance of the evidence that there is a substantial question of innocence, the court shall proceed as provided in subsection (f) (2).

(g) Nothing in this section shall be construed to limit the circumstances under which a person may obtain DNA testing or other postconviction relief under any other provision of law.

Sec. 2. K.S.A. 2012 Supp. 21-5402 is hereby amended to read as follows: 21-5402. (a) Murder in the first degree is the killing of a human being committed:

(1) Intentionally, and with premeditation; or

(2) in the commission of, attempt to commit, or flight from any inherently dangerous felony.

(b) Murder in the first degree is an off-grid person felony.

(c) As used in this section, an "inherently dangerous felony" means:

(1) Any of the following felonies, whether such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as not to be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Kidnapping, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(B) aggravated kidnapping, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(C) robbery, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5420, and amendments thereto;

(D) aggravated robbery, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5420, and amendments thereto;

(E) rape, as defined in K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(F) aggravated criminal sodomy, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(G) abuse of a child, as defined in K.S.A. 2012 Supp. 21-5602, and amendments thereto;

(H) felony theft of property, as defined in subsection (a)(1) or (a)(3) of K.S.A. 2012 Supp. 21-5801, and amendments thereto;

(I) burglary, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5807, and amendments thereto;

(J) aggravated burglary, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5807, and amendments thereto;

(K) arson, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5812, and amendments thereto;

(L) aggravated arson, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5812, and amendments thereto;

(M) treason, as defined in K.S.A. 2012 Supp. 21-5901, and amendments thereto;

(N) any felony offense as provided in K.S.A. 2012 Supp. 21-5703, 21-5705 or 21-5706, and amendments thereto;

(O) any felony offense as provided in subsection (a) or (b) of K.S.A. 2012 Supp. 21-6308, and amendments thereto;

(P) endangering the food supply, as defined in subsection (a) of K.S.A. 2012 Supp. 21-6317, and amendments thereto;

(Q) aggravated endangering the food supply, as defined in subsection (b) of K.S.A. 2012 Supp. 21-6317, and amendments thereto;

(R) fleeing or attempting to elude a police officer, as defined in subsection (b) of K.S.A. 8-1568, and amendments thereto;

(S) aggravated endangering a child, as defined in subsection (b)(1) of K.S.A. 2012 Supp. 21-5601, and amendments thereto;

(T) abandonment of a child, as defined in subsection (a) of K.S.A. 2012 Supp. 21-5605, and amendments thereto; or

(U) aggravated abandonment of a child, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5605, and amendments thereto; and

(2) any of the following felonies, only when such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as to not be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Murder in the first degree, as defined in subsection (a)(1);

(B) murder in the second degree, as defined in subsection (a)(1) of K.S.A. 2012 Supp. 21-5403, and amendments thereto;

(C) voluntary manslaughter, as defined in subsection (a)(1) of K.S.A. 2012 Supp. 21-5404, and amendments thereto;

(D) aggravated assault, as defined in subsection (b) of K.S.A. 2012 Supp. 21-5412, and amendments thereto;

(E) aggravated assault of a law enforcement officer, as defined in subsection (d) of K.S.A. 2012 Supp. 21-5412, and amendments thereto;

(F) aggravated battery, as defined in subsection (b)(1) of K.S.A. 2012 Supp. 21-5413, and amendments thereto; or

(G) aggravated battery against a law enforcement officer, as defined in subsection (d) of K.S.A. 2012 Supp. 21-5413, and amendments thereto.

(d) Murder in the first degree as defined in subsection (a)(2) is an alternative method of proving murder in the first degree and is not a separate crime from murder in

the first degree as defined in subsection (a)(1). The provisions of K.S.A. 21-5109, and amendments thereto, are not applicable to murder in the first degree as defined in subsection (a)(2). Murder in the first degree as defined in subsection (a)(2) is not a lesser included offense of murder in the first degree as defined in subsection (a)(1), and is not a lesser included offense of capital murder as defined in K.S.A. 21-5401, and amendments thereto. As set forth in subsection (b) of K.S.A. 21-5109, and amendments thereto, there are no lesser included offenses of murder in the first degree under subsection (a)(2).

(e) The amendments to this section by this act establish a procedural rule for the conduct of criminal prosecutions and shall be construed and applied retroactively to all cases currently pending.";

And by renumbering sections accordingly;

On page 4, in line 19, before "K.S.A." by inserting "K.S.A. 21-2512 and"; also in line 19, following "Supp." by inserting "21-5402,";

On page 1, in the title, in line 2, by striking "relating to"; also in line 2, following the last semicolon by inserting "DNA evidence; felony murder; capital murder;"; in line 3, following "amending" by inserting "K.S.A. 21-2512 and"; also in line 3, following "Supp." by inserting "21-5402,";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

JOHN J. RUBIN

RAMON C. GONZALEZ, JR.

GAIL FINNEY

Conferees on part of House

On motion of Rep. Rubin, the conference committee report on **S Sub for HB 2093** was adopted.

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Meier, Sutton.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 199** 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 5, following line 4, by inserting:

"Sec. 7. K.S.A. 2012 Supp. 65-1636 is hereby amended to read as follows: 65-1636. (a) Except as otherwise provided in this act, the sale and distribution of drugs shall be limited to pharmacies operating under registrations as required by this act, and the actual sale or distribution of drugs shall be made by a pharmacist or other persons acting under the immediate personal direction and supervision of the pharmacist.

~~(b) The donation, acceptance, transfer, distribution or dispensing of any drug in compliance with the provisions of the cancer drug repository program established by K.S.A. 2012 Supp. 65-1664 through 65-1667, and amendments thereto, and any rules and regulations promulgated thereunder shall not constitute a violation of this section.~~

~~(e)(b)~~ (b) The donation, acceptance, transfer, distribution or dispensing of any drug in compliance with the provisions of the utilization of unused medications act and any rules and regulations promulgated thereunder shall not constitute a violation of this section.

Sec. 8. K.S.A. 2012 Supp. 65-1669 is hereby amended to read as follows: 65-1669. As used in the utilization of unused medications act:

(a) "Adult care home" has the same meaning as such term is defined in K.S.A. 39-923, and amendments thereto.

(b) "Community mental health center" has the same meaning as such term is defined in K.S.A. 75-3307c, and amendments thereto.

(c) "Donating entities" means adult care homes, mail service pharmacies, institutional drug rooms and medical care facilities who elect to participate in the program.

(d) "Drug" has the same meaning as such term is defined in K.S.A. 65-1626, and amendments thereto.

(e) "Federally qualified health center" means a center which meets the requirements for federal funding under 42 U.S.C. § 1396d(1) of the public health service act, and amendments thereto, and which has been designated as a "federally qualified health center" by the federal government.

(f) "Indigent health care clinic" has the same meaning as such term is defined in K.S.A. 75-6102, and amendments thereto.

~~(g) "Institutional drug room" has the meaning as such term is defined in K.S.A. 65-1626(bb), and amendments thereto.~~

~~(g)(h)~~ (h) "Mail service pharmacy" means a licensed Kansas pharmacy that ships, mails or delivers by any lawful means a lawfully dispensed medication in tamper-resistant packaging to residents of this state or another state.

~~(h)(i)~~ (i) "Medical care facility" has the same meaning as such term is defined in K.S.A. 65-425, and amendments thereto.

~~(j)~~ (i) "Medically indigent" has the same meaning as such term is defined in K.S.A. 75-6102, and amendments thereto.

~~(k)~~ (k) "Medication" means a prescription drug or drug as defined by this section.

~~(l)~~ (l) "Mid-level practitioner" has the same meaning as such term is defined in K.S.A. 65-1626, and amendments thereto.

~~(m)~~ (m) "Practitioner" has the same meaning as such term is defined in K.S.A. 65-1626, and amendments thereto.

~~(n)~~ (n) "Prescription drug" means a drug which may be dispensed only upon prescription of a practitioner or mid-level practitioner authorized by law and which is approved for safety and effectiveness as a prescription drug under section 505 or 507 of the federal food, drug and cosmetic act (~~52 Stat. 1040 (1938), 21 U.S.C.A. § 301~~), ~~and amendments thereto.~~

~~(o)~~ (o) "Qualifying center or clinic" means an indigent health care clinic, federally qualified health center or community mental health center.

~~(p)~~ (p) "Samples of medications or injectables" means a unit of drug that is not intended to be sold and is intended to promote the sale of the drug.

Sec. 9. K.S.A. 2012 Supp. 65-1670 is hereby amended to read as follows: 65-1670.

(a) The board of pharmacy shall establish and implement a program consistent with public health and safety through which unused drugs, ~~other than drugs defined as controlled substances~~, may be transferred from donating entities that elect to participate in the program for the purpose of distributing the unused medications to Kansas residents who are medically indigent.

(b) A qualifying center or clinic in consultation with a pharmacist shall establish procedures necessary to implement the program established by the utilization of unused medications act.

(c) The state board of pharmacy shall provide technical assistance to entities who may wish to participate in the program.

Sec. 10. K.S.A. 2012 Supp. 65-1671 is hereby amended to read as follows: 65-1671. The following criteria shall be used in accepting unused medications for use under the utilization of unused medications act:

(a) The medications shall have come from a controlled storage unit of a donating entity;

(b) only medications in their original or pharmacist sealed unit dose packaging or in tamper evident packaging, unit of use or sealed, unused injectables, including samples of medications or injectables, shall be accepted and dispensed pursuant to the utilization of unused medications act;

(c) expired medications shall not be accepted;

(d) a medication shall not be accepted or dispensed if the person accepting or dispensing the medication has reason to believe that the medication is adulterated;

(e) no controlled substances shall be accepted; ~~and, unless the state board of pharmacy designates certain controlled substances as accepted medications in the adoption of rules and regulations pursuant to K.S.A. 65-1674, and amendments thereto;~~ and

(f) subject to the limitation specified in this section, unused medications dispensed for purposes of a medical assistance program or drug product donation program may be accepted and dispensed under the utilization of unused medications act.

Sec. 11. K.S.A. 2012 Supp. 65-1674 is hereby amended to read as follows: 65-

1674. (a) The state board of pharmacy shall adopt rules and regulations ~~by December 1, 2008~~; to implement the utilization of unused medications act. Such rules shall:

(1) Include standards and procedures for transfer, acceptance and safe storage of donated medications;

(2) include standards and procedures for inspecting donated medications to ensure that the medications are in compliance with the utilization of unused medications act and to ensure that, in the professional judgment of a pharmacist, the medications meet all federal and state standards for product integrity;

(3) establish standards and procedures for acceptance of unused medications from donating entities; ~~and~~

(4) establish standards and procedures for designating certain controlled substances as accepted donated medications;

(5) establish standards and procedures for a qualifying center or clinic to prepare any donated medications for dispensing or administering; and

(6) establish, in consultation with the department of health and environment and the Kansas department on for aging and disability services, any additional rules and regulations, and standards and procedures it deems appropriate or necessary to implement the provisions of the utilization of unused medications act.

(b) In accordance with the rules and regulations and procedures of the program established pursuant to this section, a resident of an adult care home, or the representative or guardian of a resident may donate unused medications, ~~other than prescription drugs defined as controlled substances~~, for dispensation to medically indigent persons.

Sec. 12. K.S.A. 2012 Supp. 65-1636, 65-1664, 65-1665, 65-1666, 65-1667, 65-1669, 65-1670, 65-1671 and 65-1674 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; in line 2, by striking all before the period and inserting "health care; relating to stem cell therapy and unused medications; amending K.S.A. 2012 Supp. 65-1636, 65-1669, 65-1670, 65-1671 and 65-1674 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 65-1664, 65-1665, 65-1666 and 65-1667"

And your committee on conference recommends the adoption of this report.

J. DAVID CRUM
BRIAN A. WEBER
Conferees on part of House

MARY PILCHER-COOK
ELAINE BOWERS
Conferees on part of Senate

On motion of Rep. Crum, the conference committee report on **SB 199** was adopted.

On roll call, the vote was: Yeas 90; Nays 30; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry,

Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Gandhi, Henderson, Hill, Hineman, Houston, Kuether, Lane, Lusk, Moxley, Perry, Rooker, Ruiz, Sloan, Sloop, Trimmer, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kelley, the House concurred in Senate amendments to **HB 2349**, AN ACT concerning legislative post audit committee; auditing unified school districts.

(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: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

On motion of Rep. Suellentrop, the House concurred in Senate amendments to **HB 2069**, AN ACT concerning employer leave policies for employees; declaring certain city ordinances and county resolutions to be against public policy.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 88; Nays 32; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton,

Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Davis, Dillmore, Doll, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

On motion of Rep. Dillmore to concur in Senate amendments to **HB 2059**, the motion did not prevail, and the bill remains in conference.

On roll call, the vote was: Yeas 0; Nays 120; Present but not voting: 0; Absent or not voting: 5.

Yeas: None.

Nays: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

REPORT OF STANDING COMMITTEE

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

Request No. 90, by Representative Schwartz, congratulating Republic County USD 109 High School for receiving the Class 2A Boys State Basketball Championship for 2013;

Request No. 91, by Representative Seiwert, congratulating the Sedgwick County Electric Cooperative Association, Inc. for seventy-five years of service to their 5,314 members in the counties of Sedgwick, Reno, Kingman, Harvey and Sumner;

Request No. 92, by Representative Goico, commending Mark and Louise Allen for bringing the rules of basketball home to Kansas;

Request No. 93, by Representative Hawkins, congratulating Dustin Hawkins, Math Teacher at Northeast Magnet High School, for being selected teacher of the year for

2013 by Albert Pike Masonic Lodge #303;

Request No. 94, by Representative Highland, congratulating the Wamego High School Lady Raider Basketball Team on being the State 4A State Champions;

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. Vickrey, 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 concurrent resolution was introduced and read by title:

House Concurrent Resolution **No. 5018**

By Representative Goico

A CONCURRENT RESOLUTION honoring native Kansan, Army Chaplain Father Emil Kapaun, Medal of Honor winner.

WHEREAS, On April 11, President Barack Obama will award the Catholic priest, U.S. Army Chaplain and Korean War hero, the late Father Captain Emil J. Kapaun, the Medal of Honor for conspicuous gallantry, the nation's highest military honor; and

WHEREAS, Chaplain Kapaun will receive the Medal of Honor posthumously for his extraordinary heroism while serving with the 3rd Battalion, 8th Cavalry Regiment, 1st Cavalry Division in combat operations against Chinese communists at Unsan, Korea, and as a prisoner of war from November 2, 1950, until his death on May 23, 1951; and

WHEREAS, When the Chinese viciously attacked his unit at Unsan, Chaplain Kapaun moved fearlessly from foxhole to foxhole under direct enemy fire, providing comfort and first aid to his outnumbered comrades; and

WHEREAS, As the surrounding enemy closed in, U.S. officers ordered an evacuation, but Chaplain Kapaun elected to stay behind with the wounded, fully aware of his certain capture; and

WHEREAS, He repeatedly crawled to the wounded, dragging some to safety and digging shallow trenches for others to shield them from enemy fire; and

WHEREAS, As enemy forces approached the American position and hand-to-hand combat ensued, Father Kapaun noticed a wounded Chinese officer, and he convinced the wounded man to negotiate the safe surrender of the American forces; and

WHEREAS, Following their capture, Father Kapaun and his fellow prisoners marched for several days northward toward prisoner-of-war camps. He refused to take a break from carrying stretchers for the wounded while encouraging others to do their part; and

WHEREAS, Shortly after his capture, Chaplain Kapaun bravely pushed aside an enemy soldier preparing to execute a comrade, thus saving a life and inspiring others; and

WHEREAS, At the prison camp, POWs were forced to live in cabins with no heat, where the water was contaminated and the food was scarce; and

WHEREAS, After dark, Chaplain Kapaun would slip out of his cabin to steal food

and medical supplies from the guards' storehouse. Before he went out on these raids, he prayed to St. Dismas, the thief who was crucified with Jesus and repented as he hung dying on his cross — Catholics venerate St. Dismas as the patron saint of reformed thieves; and

WHEREAS, Father Kapaun turned scrap tin into pots so he and his fellow POWs could boil their drinking water, thus reducing the risk of dysentery; and

WHEREAS, He picked ice off sick and dying men who were too weak to care for themselves. He encouraged his fellow POWs not to despair. However, the harsh living conditions in the camp eventually caught up with the heroic priest who died in the camp, suffering from chronic dysentery, pneumonia, and a blood clot in one leg, which had made it almost impossible for him to walk; and

WHEREAS, In 1993, the Catholic Church formally initiated his cause for sainthood and upon approval from the Congregation for the Causes of Saints, Father Kapaun was designated a Servant of God; and

WHEREAS, The Diocese of Wichita and the Archdiocese for the Military Services (AMS) have received reports of miracles involving Father Kapaun, including accounts by some of his fellow prisoners of war; and

WHEREAS, The Diocese of Wichita, is gathering information to determine what, if any, miracles can be attributed to Father Kapaun that would indicate that he should be beatified; and

WHEREAS, Father Kapaun is also being considered for possible designation as a martyr for the faith, which would allow him to be beatified without performing a miracle; and

WHEREAS, Chaplain Kapaun was born in 1916 on a farm outside Pilsen, Kansas, in Marion County; and

WHEREAS, Chaplain Kapaun was ordained a Roman Catholic priest in 1940 and celebrated his first mass at his home parish in Pilsen at St. John Nepomucene Church; and

WHEREAS, Chaplain Kapaun also served in the Army Chaplain Corps in World War II; and

WHEREAS, Kapaun Mt. Carmel High School in Wichita, Kansas is named in honor of Chaplain Kapaun: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That Army Chaplain Father Emil J. Kapaun, Medal of Honor winner be recognized for his acts of extraordinary bravery and for his bringing great honor on his home state of Kansas and all of its people; and

Be it further resolved: That the Secretary of State shall provide an enrolled copy of this resolution to Bishop Michael Jackels, Diocese of Wichita.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2052**.

The Senate adopts the Conference Committee report on **Sub HB 2105**.

The Senate adopts the Conference Committee report on **HB 2253**.

Also, the Senate adopts the Conference Committee report on **SB 124**.

The Senate adopts the Conference Committee report on **SB 129**.

The Senate adopts the Conference Committee report on **SB 187**.

The Senate adopts the Conference Committee report on **HB 2015**.

The Senate adopts the Conference Committee report on **Sub HB 2183**.

The Senate adopts the Conference Committee report on **HB 2234**.

On motion of Rep. Vickrey, the House recessed until 8:45 p.m.

EVENING SESSION

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

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 102** 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;

On page 2, by striking all in lines 1 through 4 and inserting:

"Section 1. Sections 1 through 11, and amendments thereto, may be cited as the second amendment protection act.

Sec. 2. The legislature declares that the authority for sections 1 through 11, and amendments thereto, is the following:

(a) The tenth amendment to the constitution of the United States guarantees to the states and their people all powers not granted to the federal government elsewhere in the constitution and reserves to the state and people of Kansas certain powers as they were understood at the time that Kansas was admitted to statehood in 1861. The guaranty of those powers is a matter of contract between the state and people of Kansas and the United States as of the time that the compact with the United States was agreed upon and adopted by Kansas in 1859 and the United States in 1861.

(b) The ninth amendment to the constitution of the United States guarantees to the people rights not granted in the constitution and reserves to the people of Kansas certain rights as they were understood at the time that Kansas was admitted to statehood in 1861. The guaranty of those rights is a matter of contract between the state and people of Kansas and the United States as of the time that the compact with the United States was agreed upon and adopted by Kansas in 1859 and the United States in 1861.

(c) The second amendment to the constitution of the United States reserves to the people, individually, the right to keep and bear arms as that right was understood at the time that Kansas was admitted to statehood in 1861, and the guaranty of that right is a matter of contract between the state and people of Kansas and the United States as of the time that the compact with the United States was agreed upon and adopted by Kansas in 1859 and the United States in 1861.

(d) Section 4 of the bill of rights of the constitution of the state of Kansas clearly secures to Kansas citizens, and prohibits government interference with, the right of individual Kansas citizens to keep and bear arms. This constitutional protection is unchanged from the constitution of the state of Kansas, which was approved by

congress and the people of Kansas, and the right exists as it was understood at the time that the compact with the United States was agreed upon and adopted by Kansas in 1859 and the United States in 1861.

Sec. 3. As used in sections 1 through 11, and amendments thereto, the following definitions apply:

(a) "Borders of Kansas" means the boundaries of Kansas described in the act for admission of Kansas into the union, 12 stat. 126, ch. 20, § 1.

(b) "Firearms accessories" means items that are used in conjunction with or mounted upon a firearm but are not essential to the basic function of a firearm, including, but not limited to, telescopic or laser sights, magazines, flash or sound suppressors, collapsible or adjustable stocks and grips, pistol grips, thumbhole stocks, speedloaders, ammunition carriers and lights for target illumination.

(c) "Manufacture" means to assemble using multiple components to create a more useful finished product.

Sec. 4. (a) A personal firearm, a firearm accessory or ammunition that is manufactured commercially or privately and owned in Kansas and that remains within the borders of Kansas is not subject to any federal law, treaty, federal regulation, or federal executive action, including any federal firearm or ammunition registration program, under the authority of congress to regulate interstate commerce. It is declared by the legislature that those items have not traveled in interstate commerce. This section applies to a firearm, a firearm accessory or ammunition that is manufactured commercially or privately and owned in the state of Kansas.

(b) Component parts are not firearms, firearms accessories or ammunition, and their importation into Kansas and incorporation into a firearm, a firearm accessory or ammunition manufactured and owned in Kansas does not subject the firearm, firearm accessory or ammunition to federal regulation. It is declared by the legislature that such component parts are not firearms, firearms accessories or ammunition and are not subject to congressional authority to regulate firearms, firearms accessories and ammunition under interstate commerce as if they were actually firearms, firearms accessories or ammunition.

(c) Firearms accessories that are imported into Kansas from another state and that are subject to federal regulation as being in interstate commerce do not subject a firearm to federal regulation under interstate commerce because they are attached to or used in conjunction with a firearm in Kansas.

Sec. 5. A firearm manufactured in Kansas within the meaning of sections 1 through 11, and amendments thereto, must have the words "Made in Kansas" clearly stamped on a central metallic part, such as the receiver or frame.

Sec. 6. (a) Any act, law, treaty, order, rule or regulation of the government of the United States which violates the second amendment to the constitution of the United States is null, void and unenforceable in the state of Kansas.

(b) No official, agent or employee of the state of Kansas, or any political subdivision thereof, shall enforce or attempt to enforce any act, law, treaty, order, rule or regulation of the government of the United States regarding any personal firearm, firearm accessory or ammunition that is manufactured commercially or privately and owned in the state of Kansas and that remains within the borders of Kansas.

Sec. 7. It is unlawful for any official, agent or employee of the government of the United States, or employee of a corporation providing services to the government of the

United States to enforce or attempt to enforce any act, law, treaty, order, rule or regulation of the government of the United States regarding a firearm, a firearm accessory, or ammunition that is manufactured commercially or privately and owned in the state of Kansas and that remains within the borders of Kansas. Violation of this section is a severity level 10 nonperson felony. Any criminal prosecution for a violation of this section shall be commenced by service of complaint and summons upon such official, agent or employee. Such official, agent or employee shall not be arrested or otherwise detained prior to, or during the pendency of, any trial for a violation of this section.

Sec. 8. A county or district attorney, or the attorney general, may seek injunctive relief in any court of competent jurisdiction to enjoin any official, agent or employee of the government of the United States or employee of a corporation providing services to the government of the United States from enforcing any act, law, treaty, order, rule or regulation of the government of the United States regarding a firearm, a firearm accessory, or ammunition that is manufactured commercially or privately and owned in the state of Kansas and that remains within the borders of Kansas.

Sec. 9. Sections 1 through 11, and amendments thereto, do not apply to: (a) A firearm that cannot be carried and used by one person;

(b) ammunition with a projectile that explodes using an explosion of chemical energy after the projectile leaves the firearm; or

(c) other than shotguns, a firearm that discharges two or more projectiles with one activation of the trigger or other firing device.

Sec. 10. Sections 1 through 11, and amendments thereto, apply to firearms, firearms accessories and ammunition that are manufactured, as defined in section 3, and amendments thereto, owned and remain within the borders of Kansas on and after October 1, 2009.

Sec. 11. If any provision of sections 1 through 10, and amendments thereto, or the application to any persons or circumstances is held to be invalid, such invalidity shall not affect the other provisions or application of sections 1 through 10, and amendments thereto, and to this end the provisions of section 1 through 10, and amendments thereto, are declared to be severable.

Sec. 12. 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 after "ACT"; by striking all in lines 2 and 3 and inserting "enacting the second amendment protection act.";

And your committee on conference recommends the adoption of this report.

ARLEN SIEGFREID

STEVEN R. BRUNK

Conferees on part of House

RALPH OSTMEYER

JAY SCOTT EMLER

Conferees on part of Senate

On motion of Rep. Siegfroid to adopt the conference committee report on **SB 102**, Rep. Becker offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

Roll call was demanded.

On roll call, the vote was: Yeas 30; Nays 90; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Barker, Becker, Bideau, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Finney, Henderson, Hill, Houston, Kuether, Lusk, Perry, Phillips, Rooker, Ruiz, Sloop, Swanson, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

The motion of Rep. Becker did not prevail.

The question reverted back to the original motion of Rep. Siegfried and the conference committee report on **SB 102** was adopted.

On roll call, the vote was: Yeas 96; Nays 24; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Frownfelter, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber, Whipple.

Nays: Barker, Becker, Bollier, Bridges, Carlin, Clayton, Dillmore, Finney, Gandhi, Henderson, Hill, Houston, Kuether, Lusk, Perry, Rooker, Ruiz, Sloop, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

EXPLANATIONS OF VOTE

MR. SPEAKER: **SB 102** protects individual Kansans rights to keep and bear Kansas-made firearms free of federal government interference and declares such federal interference unconstitutional because Kansas-made firearms and accessories remaining within Kansas borders are not in interstate commerce. This bill only proscribes

enforcement of federal laws regarding firearms, not the use of firearms by felons. This bill does not prevent prosecution of any persons with criminal histories or felonious actions involving firearms. Under the Second and Tenth Amendments to the United States Constitution and Section 4 of the Kansas Bill of Rights, **SB102** proclaims Kansas sovereignty under the Second and Tenth Amendments.

I proudly vote yes on the conference committee report on **SB 102**. – JIM HOWELL, KEN CORBET, RONALD L. HIGHLAND, HAROLD LANE, JOHN ALCALA, BRETT HILDEBRAND, MARSHALL CHRISTMANN, III, REID PETTY, BRIAN WEBER, DANIEL HAWKINS, KEITH ESAU, RAMON C. GONZALEZ, JR., LARRY HIBBARD, BILL SUTTON, CONNIE O'BRIEN, MARTY READ, JOHN J. RUBIN, CHARLES MACHEERS, PHIL HERMANSON, KASHA KELLEY, TRAVIS COUTURE-LOVELADY, WILLIE DOVE, RICHARD CARLSON, MARVIN KLEEB, DAVID CRUM, PETE DEGRAAF, JOE EDWARDS, JOHN BRADFORD, DENNIS HEDKE, JOSH POWELL, STEVEN R. BRUNK, ARLEN H. SIEGFREID, JOHN EDMONDS, AMANDA GROSSERODE, RANDY GARBER

MR. SPEAKER: I served for many years as a Federal law enforcement officer, with a sworn duty to protect and serve. I have also served as a state court judge for many, many years. I supported a motion to change the bill to convert criminal prosecution of Federal officers doing their duty to civil restraining orders and injunctions. I fully support our state sovereignty and our 2nd Amendment rights, but I cannot support prosecution of a law enforcement officer doing his sworn duty. I vote no on **SB 102**. – JOHN BARKER

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT AND MR. SPEAKER: Your committee on conference on House amendments to **SB 23** submits the following report:

The House recesses 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 1, following line 5, by inserting:

"New Section 1. The director of budget and the director of legislative research shall jointly certify to the secretary of state that the aggregate amount of appropriations for the school district capital outlay state aid fund is equal to 100% of the amount that school districts are entitled to receive from the school district capital outlay state aid fund for such school year pursuant to K.S.A. 2012 Supp. 72-8814, and amendments thereto. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register.";

Also on page 1, following line 35, by inserting:

"Sec. 3. K.S.A. 2012 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 budget which is at least equal to that amount required to qualify for school facilities weighting under K.S.A. 2012 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~~ six 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%~~ 90% of the amount of the sum obtained under paragraph (1), which computed amount is the amount the district may levy in the first year of the ~~three-year~~ six-year period for which the district may levy a tax under authority of this subsection;

(3) compute ~~50%~~ 75% of the amount of the sum obtained under paragraph (1), which computed amount is the amount the district may levy in the second year of the ~~three-year~~ six-year period for which the district may levy a tax under authority of this subsection; ~~and~~

(4) compute ~~25%~~ 60% of the amount of the sum obtained under paragraph (1),

which computed amount is the amount the district may levy in the third year of the ~~three-year~~ six-year period for which the district may levy a tax under authority of this subsection;

(5) compute 45% of the amount of the sum obtained under paragraph (1), which computed amount is the amount the district may levy in the fourth year of the six-year period for which the district may levy a tax under authority of this subsection;

(6) compute 30% of the amount of the sum obtained under paragraph (1), which computed amount is the amount the district may levy in the fifth year of the six-year period for which the district may levy a tax under authority of this subsection; and

(7) compute 15% of the amount of the sum obtained under paragraph (1), which computed amount is the amount the district may levy in the sixth year of the six-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. 4. K.S.A. 2012 Supp. 72-6448 is hereby amended to read as follows: 72-6448. (a) As used in this section:

(1) "Pupil" means a person who is a dependent of a full-time active duty member of the military service or a dependent of a member of any of the United States military reserve forces who has been ordered to active duty under section 12301, 12302 or 12304 of Title 10 of the United States Code, or ordered to full-time active duty for a period of more than 30 consecutive days under section 502(f) or 512 of Title 32 of the United States Code for the purposes of mobilizing for war, international peacekeeping missions, national emergency or homeland defense activities.

(2) "School year" means school year ~~2009-2010, 2010-2011, 2011-2012 or 2012-2013~~ 2013-2014, 2014-2015, 2015-2016, 2016-2017 or 2017-2018.

(b) Each school year, the state board shall:

(1) Determine the number of pupils enrolled in each district on September 20; and

(2) determine the number of military pupils enrolled in each district on February 20, who were not enrolled on the preceding September 20;

(c) (1) If the number obtained under subsection (b)(2) is 25 or more, an amount equal to the number obtained under subsection (b)(2) shall be added to the number determined under subsection (b)(1). The sum is the enrollment of the district.

(2) If the number obtained under subsection (b)(2) is at least 1% of the number determined under subsection (b)(1), an amount equal to the number obtained under subsection (b)(2) shall be added to the number determined under subsection (b)(1). The sum is the enrollment of the district.

(d) The state board shall recompute the adjusted enrollment of the district and the general fund budget of the school district based on the enrollment as determined under this section.

(e) Districts desiring to determine enrollment under this section shall submit any documentation or information required by the state board.

Sec. 5. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 2012 Supp. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate for a period of not to exceed five years upon the taxable tangible property in the school district for the purposes specified in this act and for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. _____,
_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy for a period not to exceed _____ years in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of ~~buildings school district property and equipment~~ necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses incidental thereto; the; (5) acquisition of building sites; the; (6) undertaking and maintenance of asbestos control projects; the; (7) acquisition of school buses and the; and (8) acquisition of other equipment fixed assets, and for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for ~~the that~~ purpose or at the next general election, as is specified by the board of education of the above 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 above resolution shall be appropriately filled. The blank preceding the word "years" shall be filled with a specific number, and the blank preceding the word "mills" shall be filled with a specific number, and no word shall be

inserted in either of the blanks. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 6. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 is hereby amended to read as follows: 72-8804. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of buildings school district property and equipment necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; ~~(4) architectural expenses incidental thereto, the;~~ (5) acquisition of building sites; ~~the;~~ (6) undertaking and maintenance of asbestos control projects; ~~the;~~ (7) acquisition of school buses ~~and the;~~ and (8) acquisition of other equipment fixed assets.

(b) The board of education of any school district is hereby authorized to invest

any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 7. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8812 is hereby amended to read as follows: 72-8812. This act shall not in any manner be construed as affecting the validity of any tax levies authorized to be made under article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act, nor shall this act in any manner be construed as affecting the validity of any bonds issued or authorized to be issued under ~~said~~ article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act.

Sec. 8. K.S.A. 2012 Supp. 72-8254 is hereby amended to read as follows: 72-8254. (a) This section shall be known and may be cited as the Kansas uniform financial accounting and reporting act.

(b) As used in this section:

(1) "Budget summary" means a summary of the official budget adopted by the board of education of the school district, and shall include, but is not limited to, graphs depicting the total expenditures in the budget by category, supplemental and general fund expenditures, instruction expenditures, enrollment figures, mill rates by fund and average salaries. For purposes of this section, the budget at a glance format developed by the state board, and any successor format shall be deemed a budget summary, provided it complies with the requirements of this section.

(2) "Reporting system" means the uniform reporting system, including a uniform chart of accounts, developed by the state board as required by this section.

~~(2)~~ (3) "School district" means any a unified school district in the organized and operated under the laws of this state.

~~(3)~~ (4) "State board" means the state board of education.

(c) The state board shall develop and maintain a uniform reporting system for the receipts and expenditures of school districts. The accounting records maintained by each school district shall be coordinated with the uniform reporting system. Each school district shall record the receipts and expenditures of the district in accordance with a uniform classification of accounts or chart of accounts and reports as shall be prescribed by the state board. Each school district shall submit such reports and statements as may be required by the state board. The state board shall design, revise and direct the use of accounting records and fiscal procedures and prescribe uniform classifications for receipts and expenditures for all school districts. The reporting system shall include all funds held by a school district regardless of the source of the moneys held in such funds, including, but not limited to, all funds funded by fees or other sources of revenue not derived from tax levies. The state board shall prescribe the necessary forms to be used by school districts in connection with such uniform reporting system.

(d) The reporting system developed by the state board shall be developed in such a manner that allows school districts to record and report any information required by state or federal law.

(e) The reporting system shall provide records showing by funds, accounts and other pertinent classifications, the amounts appropriated, the estimated revenues, actual revenues or receipts, the amounts available for expenditure, the total and itemized expenditures, the unencumbered cash balances, excluding state aid receivable, actual balances on hand and the unencumbered balances of allotments or appropriations for each school district.

(f) The reporting system shall allow a person to search the data and allow for the comparison of data by school district.

(g) Each school district shall annually submit a report to the state board on all construction activity undertaken by the school district which was financed by the issuance of bonds and which such bonds have not matured. Such report shall include all revenue receipts, all expenditures of bond proceeds authorized by law, the dates for commencement and completion of such construction activity, the estimated cost and the actual cost of such construction activity. The information provided in the report shall be in a form so as to readily identify such information with a specific construction project. Such report shall be submitted in a form and manner prescribed by the state board in accordance with the provisions of this section.

(h) From and after July 1, 2012, the board of education of each school district shall record and report the receipts and expenditures of the district in the manner prescribed by the state board in accordance with this section.

(i) (1) Each school district shall annually publish on such district's internet website;

(A) A copy of form 150, estimated legal maximum general fund budget, or any successor document containing the same or similar information, that was submitted by such district to the state board of education for the immediately preceding school year. ~~A copy of such document shall also be annually published by the department of education on its internet website; and~~

(B) the budget summary for the current school year and actual expenditures for the immediately preceding two school years showing total dollars net of transfers and dollars per pupil for each of the following:

- (1) Function 1000, instruction;
- (2) function 2100, student support;
- (3) function 2200, instructional staff support;
- (4) functions 2300 through 2500, administration;
- (5) function 2600, operation and maintenance;
- (6) function 2700, transportation;
- (7) function 3100, food service;
- (8) functions 2900, 3200 and 3300, other current spending;
- (9) function 4000, capital outlay;
- (10) function 5100, debt service;
- (11) the total expenditures which is the sum of the amounts in paragraphs (1) through (10);
- (12) the spending allocated to function 1000, instruction, excluding capital outlay and debt service expenditures, as a percentage of total expenditures;
- (13) the spending allocated to function 1000, instruction, excluding capital outlay and debt service expenditures, as a percentage of current spending, which is the sum of expenditures for functions 1000 through 3300 less capital outlay and debt service

expenditures included in any of those functions; and

(14) the revenue in total dollars net of transfers both in total and disaggregated to show the amount of revenue received from local, state and federal revenue sources.

For purposes of subsection (i)(1)(B), all per pupil amounts shall be calculated using the full-time equivalent enrollment of the school district. All function categories and other accounting categories shall refer to those same categories as established and required for financial accounting purposes by the state board as published in the Kansas state department of education's Kansas accounting handbook for unified school districts, as published in August 2012, or later versions as established in rules and regulations adopted by the state board.

(2) Publications pursuant to required by this subsection shall be conducted in such manner as to make the document readily accessible to the public published with an easily identifiable link located on such district's website homepage.

(j)(1) The department of education shall annually publish on its internet website;

(A) All of the publications required under subsection (i); and

(B) the following expenditures for each school district on a per pupil basis:

~~(1)~~(i) Total expenditures;

~~(2)~~(ii) capital outlay expenditures;

~~(3)~~(iii) bond and interest expenditures; and

~~(4)~~(iv) all other expenditures not included in ~~(2)~~(ii) or ~~(3)~~(iii).

(2) Publications required by this subsection shall be published with an easily identifiable link located on the department's website homepage.";

And by redesignating sections accordingly;

On page 2, in line 6, after "72-6431" by inserting ", 72-6441, 72-6448, 72-8254";

Also on page 2, following line 6, by inserting :

"Sec. 11. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 and 72-8812 and K.S.A. 2012 Supp. 72-8801 are hereby repealed.";

On page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking all before "amending"; also in line 2, after "amending" by inserting "K.S.A. 72-8804 and 72-8812 and"; in line 3, after "72-6431" by inserting ", 72-6441, 72-6448, 72-8801, 72-8254";

And your committee on conference recommends the adoption of this report.

WARD CASSIDY

AMANDA GROSSERODE

Conferees on part of House

STEVE E. ABRAMS

TOM ARPKE

Conferees on part of Senate

On motion of Rep. Cassidy to adopt the conference committee report on **SB 23**, Rep. Trimmer 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. Cassidy and the conference committee report on **SB 23** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or

not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **SB 23**. The renewal of the 20-mill levy is crucial to the survival of our public schools. The military second count is key to our military students and the full equalization of capital outlay is a dream.

However, the changes to the ancillary weighting conflict directly with the Gannon court order. The courts will decide the outcome.

It only rewards 4 of 286 school districts. We should not reward 4 and leave the rest to fend for themselves. — NILE DILLMORE, STAN FROWNFEILER, JULIE MENGhini, TOM BURROUGHS, VALDENIA C. WINN, BRODERICK HENDERSON, GAIL FINNEY, PATRICIA M. SLOOP, VIRGIL WEIGEL, JANICE L. PAULS, JOHN WILSON, BOB GRANT, CAROLYN L. BRIDGES, RODERICK HOUSTON, SYDNEY CARLIN, BARBARA W. BALLARD, ED TRIMMER

MR. SPEAKER: I very reluctantly vote for the Conference Committee Report on **SB 23**. It is bundled with Ancillary Facility Weighting, which benefits only 4 rich districts and leaves poor school districts like mine even further behind. The motion to send it back to remove this failed and is just one more step down the slippery slope. Wealthy districts feed at the public trough while equalization for poor districts is ignored. When will this legislature realize that "equal" means just exactly that? CONSTITUTION TO THE RESCUE! — ED BIDEAU

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2183** 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, in line 26, after "be" by inserting "medically"; also in line 26, after "necessary" by inserting "and reasonable"; in line 39, after "in" by inserting "K.S.A. 65-

116a and 65-128 made by"; by striking all in lines 41 and 42 and inserting:

"Sec. 4. K.S.A. 65-157 is hereby amended to read as follows: 65-157. The analysis of all waters required in the rules and regulations shall be made by the office of laboratory services of the department of health and environment and the fees collected under the provisions of this act by the secretary of health and environment shall be remitted by the secretary 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~~ office of laboratory services operating fund.

Sec. 5. K.S.A. 65-1,109a is hereby amended to read as follows: 65-1,109a. (a) The secretary of health and environment may adopt rules and regulations establishing: (1) Procedures and qualifications for certification of laboratories performing analyses required pursuant to K.S.A. 65-161 et seq., 65-171d, 65-3001 et seq., 65-3401 et seq. or 65-3430 et seq. or K.S.A. 65-3452a et seq. or 65-34,105 et seq., and amendments thereto; and (2) a schedule of fees to defray all or part of the costs of administering the certification program. Such fees shall not be refundable. Failure to pay assessed fees shall be cause for denial of certification.

(b) Any person who violates any provision of the rules and regulations adopted under this act shall, after notice and hearing in accordance with the Kansas administrative procedure act, be subject to suspension, denial or revocation of any certification granted hereunder and a civil penalty not to exceed \$500. Each day a violation continues shall be deemed a separate violation.

(c) The secretary of health and environment shall remit all moneys received from fees or penalties pursuant to 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 ~~state general fund~~ office of laboratory services operating fund.

Sec. 6. K.S.A. 75-5608 is hereby amended to read as follows: 75-5608. (a) There is hereby established under the supervision of the secretary of health and environment, an office of laboratory services. The office of laboratory services shall provide laboratory information and perform laboratory tests and experiments as directed by the secretary of health and environment and shall exercise such other powers, duties and functions as the secretary of health and environment may direct.

(b) The secretary may adopt rules and regulations for the collection and biological or chemical analysis of samples received by the office of laboratory services. The secretary, by adoption of rules and regulations, may fix fees for any biological or chemical analysis services provided by the office of laboratory services and waive any such fees whenever the secretary finds that waiver is in the interest of protecting the public health and safety. The secretary shall waive fees for such services provided to public health departments and state hospitals. Fees charged and collected shall not exceed the actual cost of the analysis and testing provided by the office of laboratory services.

(c) Fees collected under this section shall be remitted by the secretary 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 office of laboratory services operating fund.

New Sec. 7. (a) There is hereby created in the state treasury the office of laboratory services operating fund. Expenditures from the office of laboratory services operating fund shall be used by the department of health and environment only for the purposes of operating the office of laboratory services. All such expenditures from the office of laboratory services operating 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 secretary of health and environment or the secretary's designee.

(b) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the office of laboratory services operating fund interest earnings based on:

(1) The average daily balance of moneys in the office of laboratory services operating fund, for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 8. K.S.A. 2012 Supp. 65-6821 is hereby amended to read as follows: 65-6821. ~~(a)~~ K.S.A. 2012 Supp. 65-6821 through 65-6834 and section 20, and amendments thereto, shall be known and may be cited as the Kansas health information technology and exchange act.

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 9. K.S.A. 2012 Supp. 65-6822 is hereby amended to read as follows: 65-6822. As used in the Kansas health information technology and exchange act:

(a) "Act" means the Kansas health information technology and exchange act.

(b) "Approved ~~HIO~~ health information organization" means a health information organization operating in the state ~~which has been approved by the corporation~~ under a valid certificate of authority issued by the department.

(c) "~~Corporation~~" means the Kansas health information exchange, inc., created by executive order 10-06. "Authorization" means a document that permits a covered entity to use or disclose protected health information for purposes other than to carry out treatment, payment or health care operations, and that complies with the requirements of 45 C.F.R. § 164.508.

(d) "~~Covered entity~~" means a health care provider, a health care component of a hybrid entity, a health plan or a health care clearinghouse a covered entity as the term is defined in 45 C.F.R. § 160.103.

(e) "~~Designated record set~~" means designated record set as that term is defined by the HIPAA privacy rule. "Department" means the Kansas department of health and environment.

(f) "Disclosure" means disclosure as that term is defined by the HIPAA privacy rule.

(g) "~~DPOA-HC~~" means the person to whom a durable power of attorney for health care decisions has been granted by an individual in accordance with K.S.A. 58-625 et seq., and amendments thereto.

(h) "~~Electronic protected health information~~" means electronic health information as that term is defined by the HIPAA privacy rule.

(i) "~~Health care~~" means health care as that term is defined by the HIPAA privacy rule.

~~(j) "Health care clearinghouse" means a health care clearinghouse, as that term is~~

~~defined by the HIPAA privacy rule, doing business within the state.~~

~~(k)(h)~~ "Health care provider" means a health care provider, as that term is defined by the HIPAA privacy rule, ~~that furnishes health care to individuals in the state.~~

~~(h)(i)~~ "Health information" means health information as that term is defined by the HIPAA privacy rule.

~~(m)(j)~~ "Health information organization" means any entity operating in the state which:

(1) Maintains technical infrastructure for the electronic movement of health information among covered entities; and

(2) promulgates and enforces policies governing participation in such sharing of health information ~~exchange~~.

~~(n)(k)~~ "Health information technology" means an information processing application using computer hardware and software for the storage, retrieval, use and disclosure of health information for communication, decision-making, quality, safety and efficiency of health care. "Health information technology" includes, but is not limited to: (1) An electronic health record; (2) a personal health record; (3) the sharing of health information ~~exchange electronically~~; (4) electronic order entry; and (5) electronic decision support.

~~(o)~~ "Health plan" means a health plan, as that term is defined by the HIPAA privacy rule, ~~doing business within the state.~~

~~(p)(l)~~ "HIPAA privacy rule" means the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191) contained in 45 C.F.R. part 160 and 45 C.F.R. part 164, subparts A and E.

~~(q)~~ "Hybrid entity" means hybrid entity as that term is defined by the HIPAA privacy rule.

~~(r)(m)~~ "Individual" means individual as that term is defined by the HIPAA privacy rule.

~~(s)(n)~~ "Individually identifiable health information" means individually identifiable health information as that term is defined by the HIPAA privacy rule.

~~(t)~~ "Interoperability" means the capacity of two or more information systems to exchange information or data in an accurate, effective, secure and consistent manner.

~~(u)(o)~~ "Participation agreement" means a written agreement between a covered entity and an approved ~~HIO~~ health information organization concerning the covered entity's participation in the approved ~~HIO~~ health information organization on terms consistent with K.S.A. 2012 Supp. 65-6832, and amendments thereto.

~~(v)(p)~~ "Personal representative" means the person who has the legal authority to act on behalf of an individual.

~~(w)(q)~~ "Protected health information" means protected health information as that term is defined by the HIPAA privacy rule.

~~(x)~~ "Public health authority" means public health authority as that term is defined by the HIPAA privacy rule.

~~(y)(r)~~ "Secretary" means the secretary of health and environment.

~~(z)~~ "Standard authorization form" means the standard authorization form developed and promulgated by the secretary pursuant to K.S.A. 2012 Supp. 65-6826, and amendments thereto.

~~(aa)(s)~~ "State" means the state of Kansas.

~~(bb)(t)~~ "Use" means, with respect to individually identifiable health information, use as the term is defined by the HIPAA privacy rule.

~~This section shall take effect on and after July 1, 2011.~~

Sec. 10. K.S.A. 2012 Supp. 65-6823 is hereby amended to read as follows: 65-6823. ~~(a)~~ It is the purpose of this act to harmonize state law with the HIPAA privacy rule with respect to individual access to protected health information, proper safeguarding of protected health information, and the use and disclosure of protected health information for purposes of facilitating the development and use of health information technology and ~~health information exchange~~ the sharing of health information electronically.

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 11. K.S.A. 2012 Supp. 65-6824 is hereby amended to read as follows: 65-6824. (a) A covered entity shall provide an individual or such individual's personal representative with access to the individual's protected health information maintained ~~by the collected, used or disseminated by or for the covered entity in a designated record set in compliance with 45 C.F.R. § 164.524.~~

(b) A covered entity shall implement and maintain appropriate administrative, technical and physical safeguards to protect the privacy of protected health information in a manner consistent with 45 C.F.R. § 164.530(c).

~~(c) This section shall take effect on and after July 1, 2011.~~

Sec. 12. K.S.A. 2012 Supp. 65-6825 is hereby amended to read as follows: 65-6825. (a) No covered entity shall use or disclose protected health information except as follows:

(1) ~~Use and disclosure of protected health information~~ In a manner consistent with an authorization that satisfies the requirements of 45 C.F.R. § 164.508;

(2) ~~use and disclosure of protected health information without an authorization in a manner~~ as permitted under 45 C.F.R. §§ 164.502, 164.506, 164.508, 164.510 and 164.512; or

(3) ~~use and disclosure of protected health information in a manner~~ as required under 45 C.F.R. § 164.502.

~~(b) Notwithstanding the provisions of subsection (a), no covered entity shall disclose an individual's protected health information to a health information organization for any purpose without an authorization that satisfies the requirements of 45 C.F.R. § 164.508, unless A covered entity may disclose an individual's protected health information to a health information organization without an authorization if such covered entity:~~

(1) Is a party to a current participation agreement with an approved ~~HIO~~ health information organization at the time the disclosure is made;

(2) discloses the individual's protected health information to that approved ~~HIO~~ health information organization in a manner consistent with the ~~approved HIO's~~ established procedures of the approved health information organization; and

(3) ~~prior to the disclosure, has furnished~~ furnishes to the individual, or such individual's personal representative, whose information is to be disclosed to the approved ~~HIO~~ health information organization, the notice required under K.S.A. 2012 Supp. 65-6832, and amendments thereto; ~~and~~

~~(4) restricts disclosure to the approved HIO of any protected health information concerning the individual that is the subject of a written request delivered to the covered~~

entity by the individual, or such individual's personal representative, for reasonable restrictions on disclosure of all or any specified categories of the individual's protected health information, as defined pursuant to K.S.A. 2012 Supp. 65-6832, and amendments thereto, following the covered entity's receipt of such written request.

(c) Notwithstanding the provisions of subsections (a) and (b), A covered entity that uses or discloses protected health information in compliance with this section shall be immune from any civil or criminal liability or any adverse administrative action arising out of or relating to such use or disclosure.

~~(d) This section shall take effect on and after July 1, 2011.~~

Sec. 13. K.S.A. 2012 Supp. 65-6828 is hereby amended to read as follows: 65-6828. To the extent any provision of state law regarding the confidentiality, privacy, security or privileged status of any protected health information conflicts with is contrary to, or more stringent than the provisions of this act, the provisions of this act shall control, except that: (a) Nothing in this act shall limit or restrict the effect and application of the peer review statute, K.S.A. 65-4915, and amendments thereto; the risk management statute, K.S.A. 65-4921 through 65-4930, and amendments thereto; or any statutory health care provider-patient evidentiary privilege applicable to a judicial or administrative proceeding; and

(b) nothing in this act shall limit or restrict the ability of any state agency to require the disclosure of protected health information by any person or entity pursuant to law.

Sec. 14. K.S.A. 2012 Supp. 65-6829 is hereby amended to read as follows: 65-6829. ~~(a) A health care provider~~ covered entity may disclose protected health information without authorization to any state agency for any public health purpose that is required by law. Nothing in this act shall be construed to limit the use, transfer or disclosure of protected health information as required or permitted by any other provision of law for public health purposes.

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 15. K.S.A. 2012 Supp. 65-6830 is hereby amended to read as follows: 65-6830. ~~(a) The corporation~~ department shall establish and revise, as appropriate, standards for the approval and operation of statewide and regional health information organizations operating in the state as approved-HHOs health information organizations including, but not limited to, the following:

~~(a) Satisfaction of certification standards for health information exchanges promulgated by the federal government;~~

~~(b)(1) Adherence to nationally recognized standards for interoperability, that is, the capacity of two or more information systems to share information or data in an accurate, effective, secure and consistent manner;~~

~~(c)(2) adoption and adherence to rules promulgated by the corporation~~ department regarding access to and use and disclosure of protected health information maintained by or on an approved-HHO health information organization;

~~(d)(3) demonstration of adequate financial resources to sustain continued operations in compliance with the standards;~~

~~(e)(4) participation in outreach activities for individuals and covered entities;~~

~~(f)(5) conduct of operations in a transparent manner to promote consumer confidence;~~

~~(g)(6) implementation of security breach notification procedures; and~~

~~(h)~~(7) development of procedures for entering into and enforcing the terms of participation agreements with covered entities which satisfy the requirements established by the ~~corporation department~~ pursuant to K.S.A. 2012 Supp. 65-6832, and amendments thereto.

(b) The department shall ensure that approved health information organizations operate within the state in a manner consistent with the protection of the security and privacy of health information of the citizens of Kansas.

(c) No expenditure shall be made from the state general fund for the purposes of administration, operation or oversight of the health information organizations defined in K.S.A. 65-6821, and amendments thereto, except that the secretary of health and environment may make operational expenditures for the purpose of adopting and administering the rules and regulations necessary to implement the Kansas health information technology act.

~~This section shall take effect on and after July 1, 2011.~~

Sec. 16. K.S.A. 2012 Supp. 65-6831 is hereby amended to read as follows: 65-6831. ~~(a) The corporation department shall establish and implement:~~

~~(1)(a) A process by which a health information exchange organization may apply for and receive approval a certificate of authority issued by the corporation department by demonstrating compliance with the standards promulgated by the corporation department pursuant to K.S.A. 2012 Supp. 65-6830, and amendments thereto;~~

~~(2)(b) a process by which an approved HHO health information organization shall be re-approved on appropriate intervals by demonstrating continued compliance with the standards promulgated by the corporation department pursuant to K.S.A. 2012 Supp. 65-6830, and amendments thereto; and~~

~~(3)(c) a process for the investigation of reported concerns and complaints regarding an approved HHO health information organization and imposition of appropriate remedial and proactive measures to address any identified deficiencies.~~

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 17. K.S.A. 2012 Supp. 65-6832 is hereby amended to read as follows: 65-6832. ~~(a) The corporation department shall establish requirements for participation agreements to be used by approved health information organizations in participation agreements with covered entities and shall include the following:~~

~~(1)(a) Specification of procedures for the covered entity to disclose by which an individual's protected health information to the approved HHO will be disclosed by covered entities, will be collected by approved health information organizations and will be shared with other participating covered entities and with the department as required by law for public health purposes;~~

~~(2)(b) specification of procedures for the covered entity to access an individual's protected health information from the approved HHO by which an individual may elect that protected health information be restricted from disclosure by approved health information organizations to covered entities;~~

~~(3)(c) specifications of purposes for, and procedures by which a covered entity can access an individual's protected health information from the approved health information organization, including access to restricted information by a covered entity in an emergency situation when necessary to properly treat the individual;~~

~~(d) specification of the written notice to be provided by the covered entity to any individual, or such individual's personal representative, prior to the covered entity's~~

~~disclosure of the individual's protected health information to the approved HHO that explains how and what protected health information will be shared with the approved health information organization.~~ Such written notice, which may be incorporated into the covered entity's notice of privacy practices required under the HIPAA privacy rule, shall include the following that:

~~(A)(1) The individual's protected health information will be disclosed to the approved HHO health information organization to facilitate the provision of health care to the individual;~~

~~(B)(2) the approved HHO health information organization maintains appropriate safeguards to protect the privacy and security of protected health information;~~

~~(C)(3) only authorized individuals may access protected health information from the approved HHO health information organization;~~

~~(D)(4) the individual, or such individual's personal representative, has the right to request in writing that the covered entity: (i) Not disclose any of the individual's protected health information to the approved HHO; or (ii) not disclose specified categories of the individual's protected health information to the approved HHO the individual's protected health information not be disclosed by the health information organization;~~

~~(E)(5) such restrictions may result in a health care provider not having access to information necessary to provide appropriate care for the individual;~~

~~(F) the covered entity is required to honor a written request delivered to the covered entity by an individual, or such individual's representative, not to disclose any of the individual's protected health information to an approved HHO; and~~

~~(G) the covered entity is required to honor a written request delivered to the covered entity by an individual, or such individual's representative, for reasonable restrictions on the disclosure of specified categories of the individual's protected health information to an approved HHO; the health information organization is required to honor a written request not to disclose an individual's protected health information, except that disclosure is permitted (A) in an emergency situation when necessary to properly treat the individual, or (B) when necessary to satisfy a covered entity's legal obligation to report certain information to a government official; and~~

~~(6) the inability to access restricted information by a covered entity may result in a health care provider not having access to information necessary to provide appropriate care for the individual;~~

~~(4)(c) specification of documentation requirements to demonstrate delivery of such notice to an individual, or such individual's personal representative, by or on behalf of the covered entity prior to the covered entity's disclosure of the individual's protected health information to the approved HHO;~~

~~(5) standards for determining the reasonableness of an individual's written request, or the written request of such individual's personal representative, not to disclose specified categories of the individual's protected health information to the approved HHO based on the covered entity's technological capabilities; and~~

~~(6) specification of the purposes for which a covered entity may access protected health information through the approved HHO.~~

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 18. K.S.A. 2012 Supp. 65-6833 is hereby amended to read as follows: 65-6833. (a) Any health information organization which is not an approved HHO health

information organization shall not be eligible for any financial support from the state, or assistance or support from the state in securing any other source of funding.

~~(b) This section shall take effect on and after July 1, 2011.~~

Sec. 19. K.S.A. 2012 Supp. 65-6834 is hereby amended to read as follows: 65-6834. (a) ~~Notwithstanding any other provision of this act,~~ No use or disclosure of protected health information maintained by or on an approved ~~HHO~~ health information organization shall be made except pursuant to rules and regulations adopted by the ~~corporation department~~ consistent with this act. An approved ~~HHO~~ health information organization that uses or discloses protected health information in compliance with such rules shall be immune from any civil or criminal liability or any adverse administrative action arising out of or relating to such use or disclosure.

~~(b) This section shall take effect on and after July 1, 2011. Protected health information in the possession of an approved health information organization shall not be subject to discovery, subpoena or other means of legal compulsion for the release of such— protected health information to any person or entity. An approved health information organization shall not be compelled by a request for production, subpoena, court order or otherwise, to disclose protected health information relating to an individual.~~

New Sec. 20. (a) There is hereby established an advisory council on health information technology. The advisory council on health information technology shall be advisory to the secretary of health and environment and shall be within the division of health of the department of health and environment.

(b) The advisory council on health information technology shall be composed of 23 voting members, as follows:

(1) The secretary of the Kansas department of health and environment, or such secretary's designee;

(2) the governor of the state of Kansas, or such governor's designee;

(3) four legislators selected as follows: The chairperson and ranking minority member or their designees of the committee on health and human services of the house of representatives, and the chairperson and ranking minority member or their designees from the committee on public health and welfare of the senate;

(4) two members appointed by the secretary who represent consumers;

(5) one member appointed by the secretary who represents employers;

(6) one member appointed by the secretary who represents payers;

(7) one member appointed by the secretary who represents local health departments from a list of three names submitted by the Kansas association of local health departments;

(8) three members appointed by the secretary who represent hospitals, from a list of three names for each position submitted by the Kansas hospital association. One of the hospital representatives appointed herein shall be involved in the administration of a critical access hospital;

(9) three members appointed by the secretary from a list of three names for each position by the Kansas medical society. At least two of the members appointed herein shall be practicing physicians, and one of the physicians shall be a physician in a primary care specialty;

(10) two members appointed by the secretary who represent pharmacists, from a list of three names submitted by the Kansas pharmacists association. At least one of the

members appointed herein shall be a practicing pharmacist;

(11) one member appointed by the secretary who represents the university of Kansas center for health information from a list of three names submitted by the university of Kansas center for health information;

(12) one member appointed by the secretary who represents the Kansas foundation for medical care from a list of three names submitted by the Kansas foundation for medical care;

(13) one member appointed by the secretary who represents the Kansas optometric association from a list of three names submitted by the Kansas optometric association; and

(14) one member appointed by the secretary who represents the association of community mental health centers of Kansas from a list of three names submitted by the association of community mental health centers of Kansas.

(c) At the first meeting of the council, following the effective date of this act, terms of its members, except the secretary and governor or their designees, shall be determined by lot with five members serving for one year, five members serving for two years, five members serving for three years, and six members serving for four years. Following their initial term, members of the council shall be eligible for re-appointment and, if re-appointed, shall serve for terms of four years. Members shall only be eligible to serve two consecutive four-year terms. Whenever a vacancy occurs regarding a member of the council due to the resignation, death, removal or expiration of a term, a new member shall be appointed prior to the next meeting, according to the process and to the specific position on the council as provided in subsection (b). In the event of a vacancy during an unexpired term due to resignation, death or removal of a council member, the appointment shall be for the remainder of the unexpired portion of the term. Each member of the council shall hold office for the term of appointment and until a successor has been appointed. Any member of the council may be removed by the secretary for malfeasance or misfeasance in office, regularly failing to attend meetings, or for any cause which renders the member incapable of the discharge of the duties of a member.

(d) The council shall meet at least four times per year and at such times as the council deems appropriate or as called by the secretary.

(e) Members of the council are entitled to compensation and expenses as provided in K.S.A. 75-3223, and amendments thereto. Members of the council attending council meetings or subcommittee meetings authorized by the council shall be paid mileage and all other applicable expenses, provided such expenses are consistent with policies established from time-to-time by the council.

Sec. 21. K.S.A. 2012 Supp. 28-115 is hereby amended to read as follows: 28-115.

(a) The register of deeds of each county shall charge and collect the following fees:

For recording deeds, mortgages or other instruments of writing, for first page, not to exceed legal size page—8½" x 14".....	\$6.00
For second page and each additional page or fraction thereof.....	2.00
Recording town plats, for each page.....	20.00
Recording release or assignment of real estate mortgage.....	5.00
Certificate, certifying any instrument on record.....	1.00

Acknowledgment of a signature.....50
 For filing notices of tax liens under the internal revenue laws of the
 United States.....5.00
 For filing releases of tax liens, certificates of discharge, under the internal
 revenue laws of the United States or the revenue laws of the state of Kansas...5.00
 For filing liens for materials and services under K.S.A. 58-201, and
 amendments thereto.....5.00

(b) In addition to the fees required to be charged and collected pursuant to subsection (a), the register of deeds shall charge and collect an additional fee of \$2 per page for recording:

- (1) The first page of any deeds, mortgages or other instruments of writing, not to exceed legal size—8½" x 14";
- (2) the second page and each additional page or fraction of any deeds, mortgages or instruments of writing; and
- (3) a release or assignment of real estate mortgage.

Any fees collected pursuant to this subsection shall be paid by the register of deeds to the county treasurer. The county treasurer shall deposit such funds in the register of deeds technology fund as provided by K.S.A. 2012 Supp. 28-115a, and amendments thereto.

(c) For any filing or service provided for in the uniform commercial code, the amount therein provided, shall be charged and collected. No fee shall be charged or collected for any filing made by the secretary of health and environment or the secretary's designee pursuant to K.S.A 39-709, and amendments thereto.

(d) If the name or names of the signer or signers or any notary public to any instrument to be recorded are not plainly typed or printed under the signatures affixed to the instrument, the register of deeds shall charge and collect a fee of \$1 in addition to all other fees provided in this section.

(e) If sufficient space is not provided for the necessary recording information and certification on a document, such recording information shall be placed on an added sheet and such sheet shall be counted as a page. The document shall be of sufficient legibility so as to produce a clear and legible reproduction thereof. If a document is judged not to be of sufficient legibility so as to produce a clear and legible reproduction, such document shall be accompanied by an exact copy thereof which shall be of sufficient legibility so as to produce a clear and legible reproduction thereof and which shall be recorded contemporaneously with the document and shall be counted as additional pages. The register of deeds may reject any document which is not of sufficient legibility so as to produce a clear and legible reproduction thereof.

(f) Any document which was filed on or after January 1, 1989, which was of a size print or type smaller than 8-point type but which otherwise was properly filed shall be deemed to be validly filed.

(g) All fees required to be collected pursuant to this section, except those charged for the filing of liens and releases of tax liens under the internal revenue laws of the United States, shall be due and payable before the register of deeds shall be required to do the work. If the register of deeds fails to collect any of the fees provided in this section, the amount of the fees at the end of each quarter shall be deducted from the register's salary.

(h) Except as otherwise provided by subsection (b), all fees required to be

collected pursuant to this section shall be paid by the register of deeds to the county treasurer and deposited into the general fund of the county.

Sec. 22. K.S.A. 39-702 is hereby amended to read as follows: 39-702. The following words and phrases when used in this act shall, for the purposes of this act, have the meanings respectively ascribed to them in this section:

(a) "Secretary" means the ~~secretary of social and rehabilitation services for children and families, unless otherwise specified.~~

(b) "Applicants" means all persons who, as individuals, or in whose behalf requests are made of the secretary for aid or assistance.

(c) "Social welfare service" may include such functions as giving assistance, the prevention of public dependency, and promoting the rehabilitation of dependent persons or those who are approaching public dependency.

(d) "Assistance" includes such items or functions as the giving or providing of money, food stamps or coupons, food, clothing, shelter, medicine or other materials, the giving of any service, including instructive or scientific, and the providing of institutional care, which may be necessary or helpful to the recipient in providing the necessities of life for the recipient and the recipient's dependents. The definitions of social welfare service and assistance in this section shall be deemed as partially descriptive and not limiting.

(e) "Aid to families with dependent children" means financial assistance with respect to or on behalf of a dependent child or dependent children and includes financial assistance for any month to meet the needs of the relative with whom any dependent child is living.

(f) "Medical assistance" means the payment of all or part of the cost of necessary: (1) Medical, remedial, rehabilitative or preventive care and services which are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act and furnished by health care providers who have a current approved provider agreement with the secretary; and (2) transportation to obtain care and services which are within the scope of services to be provided under a medical care plan developed by the secretary pursuant to this act.

(g) "Dependent children" means needy children under the age of 18, or who are under the age of 19 and are full-time students in secondary schools or the equivalent educational program or are full-time students in a program of vocational or technical training if they may be reasonably expected to complete the training before attaining age 19, who have been deprived of parental or guardian support or care by reasons of the death, continued absence from the home, or physical or mental incapacity of a parent or guardian, and who are living with any blood relative, including those of the half-blood, and including first cousins, uncles, aunts, and persons of preceding generations are denoted by prefixes of grand, great, or great-great, and including the spouses or former spouses of any persons named in the above groups, in a place of residence maintained by one or more of such relatives as their own home. The secretary may adopt rules and regulations which extend the deprivation requirement under this definition to include being deprived of parental or guardian support or care by reason of the unemployment of a parent or guardian. The term "dependent children" also includes children who would meet the foregoing requirements except for their removal from the home of a relative as a result of judicial determination to the effect that continuation therein would be contrary to the welfare of such children, for whose placement and care

the secretary is responsible, who have been placed in a foster family home or child care institution as a result of such determination and who received aid to dependent children in or for the month in which court proceedings leading to such determination were initiated, or would have received such aid in or for such month if application had been made therefor, or in the case of a child who had been living with a relative specified above within six months prior to the month in which such proceedings were initiated, would have received such aid in or for such month if in such month such child had been living with and removed from the home of such a relative and application had been made therefor.

(h) "The blind" means not only those who are totally and permanently devoid of vision, but also those persons whose vision is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(i) "General assistance" means financial assistance in which the cost of such financial assistance is not participated in by the federal government. General assistance may be limited to transitional assistance in some instances as specified by rules and regulations adopted by the secretary.

(j) "Recipient" means a person who has received assistance under the terms of this act.

(k) "Intake office" means the place where the secretary shall maintain an office for receiving applications.

(l) "Adequate consideration" means consideration equal, or reasonably proportioned to the value of that for which it is given.

(m) "Transitional assistance" means a form of general assistance in which as little financial assistance as one payment may be made during each period of 12 consecutive calendar months to an eligible and needy person and all other persons for whom such person is legally responsible.

(n) "Title IV-D" means part D of title IV of the federal social security act (42 U.S.C. § 561; et seq.), ~~or acts amendatory thereof or supplemental thereto~~ as in effect on May 1, 1997.

Sec. 23. K.S.A. 2012 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for aid for families with dependent children, for food stamp assistance and for any other assistance provided through the ~~department of social and rehabilitation services~~ Kansas department for children and families under which federal moneys are expended, the

~~secretary of social and rehabilitation services for children and families~~ shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Assistance to families with dependent children.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as aid to families with dependent children. Where husband and wife are living together both shall register for work under the program requirements for aid to families with dependent children in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(c) *Aid to families with dependent children; assignment of support rights and limited power of attorney.* By applying for or receiving aid to families with dependent children such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving aid to families with dependent children, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(d) *Eligibility requirements for general assistance, the cost of which is not shared by the federal government.* (1) General assistance may be granted to eligible persons who do not qualify for financial assistance in a program in which the federal government participates and who satisfy the additional requirements prescribed by or under this subsection (d).

(A) To qualify for general assistance in any form a needy person must have insufficient income or resources to provide a reasonable subsistence compatible with

decency and health and, except as provided for transitional assistance, be a member of a family in which a minor child or a pregnant woman resides or be unable to engage in employment. The secretary shall adopt rules and regulations prescribing criteria for establishing when a minor child may be considered to be living with a family and whether a person is able to engage in employment, including such factors as age or physical or mental condition. Eligibility for general assistance, other than transitional assistance, is limited to families in which a minor child or a pregnant woman resides or to an adult or family in which all legally responsible family members are unable to engage in employment. Where a husband and wife are living together the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary in determining need of any applicant for or recipient of general assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of general assistance unless such applicant or recipient is such individual's spouse or such individual's minor child or a minor stepchild if the stepchild is living with such individual. In determining the need of an individual, the secretary may provide for income and resource exemptions.

(B) To qualify for general assistance in any form a needy person must be a citizen of the United States or an alien lawfully admitted to the United States and must be residing in the state of Kansas.

(2) General assistance in the form of transitional assistance may be granted to eligible persons who do not qualify for financial assistance in a program in which the federal government participates and who satisfy the additional requirements prescribed by or under this subsection (d), but who do not meet the criteria prescribed by rules and regulations of the secretary relating to inability to engage in employment or are not a member of a family in which a minor or a pregnant woman resides.

(3) In addition to the other requirements prescribed under this subsection (d), the secretary shall adopt rules and regulations which establish community work experience program requirements for eligibility for the receipt of general assistance in any form and which establish penalties to be imposed when a work assignment under a community work experience program requirement is not completed without good cause. The secretary may adopt rules and regulations establishing exemptions from any such community work experience program requirements. A first time failure to complete such a work assignment requirement shall result in ineligibility to receive general assistance for a period fixed by such rules and regulations of not more than three calendar months. A subsequent failure to complete such a work assignment requirement shall result in a period fixed by such rules and regulations of ineligibility of not more than six calendar months.

(4) If any person is found guilty of the crime of theft under the provisions of K.S.A. 39-720, and amendments thereto, such person shall thereby become forever ineligible to receive any form of general assistance under the provisions of this subsection (d) unless the conviction is the person's first conviction under the provisions of K.S.A. 39-720, and amendments thereto, or the law of any other state concerning welfare fraud. First time offenders convicted of a misdemeanor under the provisions of such statute shall become ineligible to receive any form of general assistance for a period of 12 calendar months from the date of conviction. First time offenders convicted of a felony under the provisions of such statute shall become ineligible to

receive any form of general assistance for a period of 60 calendar months from the date of conviction. If any person is found guilty by a court of competent jurisdiction of any state other than the state of Kansas of a crime involving welfare fraud, such person shall thereby become forever ineligible to receive any form of general assistance under the provisions of this subsection (d) unless the conviction is the person's first conviction under the law of any other state concerning welfare fraud. First time offenders convicted of a misdemeanor under the law of any other state concerning welfare fraud shall become ineligible to receive any form of general assistance for a period of 12 calendar months from the date of conviction. First time offenders convicted of a felony under the law of any other state concerning welfare fraud shall become ineligible to receive any form of general assistance for a period of 60 calendar months from the date of conviction.

(e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to subsection (c) of K.S.A. 16-303, and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not

limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(f) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303, ~~and amendments thereto~~, of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in

which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to subsection (d) of K.S.A. 39-756, and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (e) is (A) a claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both, and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 9-1216, 17-2263, 17-2264, 17-5828 or 17-5829, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection (g). The secretary is authorized to enforce each claim provided for under this subsection (g). The secretary shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary from claims under this subsection (g) shall be deposited in the social welfare fund. The secretary may adopt rules and regulations for

the implementation and administration of the medical assistance recovery program under this subsection (g).

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under subsection (g)(2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under subsection (g)(2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) ~~The secretary of social and rehabilitation services of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien. This lien is for payments of medical assistance made by the department of social and rehabilitation services to the recipient who is an inpatient in a nursing home or other medical institution.~~

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home, ~~nursing homes~~ or other medical institution shall constitute a determination by the ~~department of social and rehabilitation services~~ department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance

~~paid by the department of social and rehabilitation services after the expiration of six months from the date the recipient became eligible for compensated inpatient care at a nursing home, nursing homes or other medical institution~~ department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

- (A) After the death of the surviving spouse of the recipient;
- (B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;
- (C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or
- (D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

- (A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary or the secretary's designee;
- (B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or
- (C) the value of the real property is consumed by the lien, at which time the secretary or the secretary's designee may force the sale for the real property to satisfy the lien; or

~~(D) after a lien is filed against the real property, it will be dissolved if the recipient leaves the nursing or medical facility and resides in the property to which the lien is attached for a period of more than 90 days without being readmitted as an inpatient to a nursing or medical facility, even though there may have been no reasonable expectation that this would occur. If the recipient is readmitted to a nursing or medical facility during this period, and does return home after being released, another 90 days must be completed before the lien can be dissolved.~~

(7) If the ~~secretary of social and rehabilitation~~ for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the

lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary ~~of social and rehabilitation services for children and families~~ pays for the expenses of care and custody of a child pursuant to K.S.A. 2012 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(j) If the applicant or recipient of aid to families with dependent children is a mother of the dependent child, as a condition of the mother's eligibility for aid to families with dependent children the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of aid to families with dependent children who fails to cooperate with requirements relating to child support enforcement under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations which penalty shall progress to ineligibility for the family after three months of noncooperation.

(k) By applying for or receiving child care benefits or food stamps, the applicant

or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food stamps, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of aid to families with dependent children.

Sec. 24. K.S.A. 58-3957 is hereby amended to read as follows: 58-3957. (a) (1) A person, excluding another state, claiming an interest in any property paid or delivered to the administrator may file with the administrator a claim on a form prescribed by the administrator and verified by the claimant.

(2) The department of health and environment may claim an interest in any property paid or delivered to the administrator if the deceased owner of such property received medical assistance under K.S.A. 39-709, and amendments thereto, except that such claim shall not exceed the amount of medical assistance received by the deceased owner.

(3) The administrator may hold a hearing on the claim in accordance with the provisions of the Kansas administrative procedure act. The decision resulting from any hearing shall be a public record.

(b) The administrator shall consider each claim within 90 days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. The notice may be given by mailing it to the last address, if any, stated in the claim as the address to which notices are to be sent. If no address for notices is stated in the claim, the notice may be mailed to the last address, if any, of the claimant as stated in the claim. No notice of denial need be given if the claim fails to state either the last address to which notices are to be sent or the address of the claimant.

(c) If a claim is allowed, the administrator shall pay over or deliver to the claimant the property or the amount the administrator actually received or the net proceeds if it has been sold by the administrator, together with any additional amount required by K.S.A. 58-3954, and amendments thereto. Interest reported under the previous disposition of unclaimed property act shall not be computed, paid or delivered to the claimant after enactment of this act. If the claim is for property presumed abandoned under K.S.A. 58-3943, and amendments thereto, which was sold by the administrator within three years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater.

(d) Any holder who pays the owner for property that has been delivered to the state and which, if claimed from the administrator, would be subject to subsection (c) shall add any additional amount as provided in K.S.A. 58-3954, and amendments thereto. The additional amount shall be repaid to the holder by the administrator in the same manner as the principal.

Sec. 25. K.S.A. 39-702, 58-3957, 65-116a, 65-128, 65-157, 65-1,109a, 75-5607 and 75-5608 and K.S.A. 2012 Supp. 28-115, 39-709, 65-129a, 65-6821, 65-6822, 65-6823, 65-6824, 65-6825, 65-6826, 65-6827, 65-6828, 65-6829, 65-6830, 65-6831, 65-6832, 65-6833 and 65-6834 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "the department of health and environment; relating to"; in line 2, by striking all after the semicolon; by striking all in lines 3 and 4 and inserting "concerning the office of laboratory services; creating the office of laboratory services operating fund and providing for certain fees and deposits to such fund; concerning health information technology; relating to the medical assistance recovery program; amending K.S.A. 39-702, 58-3957, 65-116a, 65-128, 65-157, 65-1,109a and 75-5608 and K.S.A. 2012 Supp. 28-115, 39-709, 65-6821, 65-6822, 65-6823, 65-6824, 65-6825, 65-6828, 65-6829, 65-6830, 65-6831, 65-6832, 65-6833 and 65-6834 and repealing the existing sections; also repealing K.S.A. 75-5607 and K.S.A. 2012 Supp. 65-129a, 65-6826 and 65-6827."

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

ELAINE BOWERS

LAURA KELLY

Conferees on part of Senate

J. DAVID CRUM

BRIAN WEBER

Conferees on part of House

On motion of Rep. Crum, the conference committee report on **Sub HB 2183** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2105** 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 67, in line 3, by striking "20%" and inserting "25%";

And your committee on conference recommends the adoption of this report.

JULIA LYNN

SUSAN WAGLE

Conferees on part of Senate

MARVIN KLEEB

GENE SUELLENTROP

Conferees on part of House

On motion of Rep. Kleeb, the conference committee report on **Sub HB 2105** was adopted.

On roll call, the vote was: Yeas 89; Nays 31; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2234** 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 24 through 30;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 38 and inserting:

"Section 1. K.S.A. 68-2003 is hereby amended to read as follows: 68-2003. (a) There is hereby created a body politic and corporate to be known as the Kansas turnpike authority. The authority is hereby constituted a public instrumentality and the exercise by the authority of the powers conferred by this act in the construction, operation and maintenance of turnpike projects shall be deemed and held to be the performance of an essential governmental function.

(b) The Kansas turnpike authority shall consist of five members. Two members shall be appointed by the governor for terms of four years. The members appointed by the governor shall be residents of the state and shall each year be owners of revenue bonds issued by the Kansas turnpike authority. One member of the authority shall be the secretary of transportation. One member shall be the chairperson of the committee on transportation ~~and tourism~~ of the senate, and one member shall be a member of the committee on transportation of the house of representatives and shall be appointed by the speaker of the house of representatives. Any person appointed by the governor to fill a vacancy on the authority shall be appointed to serve only for the unexpired term, and a member of the authority shall be eligible for reappointment. A member of the authority may be removed by the governor for misfeasance, malfeasance or willful neglect of duty, but only after reasonable notice and a public hearing conducted in accordance with the provisions of the Kansas administrative procedure act. Each member of the authority, before entering upon the member's duties, shall take and subscribe an oath or affirmation as required by law.

(c) The authority shall elect one member as chairperson of the authority and another as vice-chairperson. The authority shall also elect a secretary-treasurer who need not be a member of the authority. The chairperson, vice-chairperson and secretary-treasurer shall serve as officers at the pleasure of the authority. Three members of the authority shall constitute a quorum and the affirmative vote of three members shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(d) Members of the Kansas turnpike authority attending meetings of such authority, or attending a subcommittee meeting thereof authorized by such authority, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(e) On and after July 1, 2013, the secretary of transportation shall serve as the director of operations of the authority. The director of operations shall be responsible for the daily administration of the toll roads, bridges, structures and facilities constructed, maintained or operated pursuant to this act. The director of operations or the director's designee shall have such powers as are necessary to carry out these responsibilities. The provisions of this subsection shall expire and have no effect on and after July 1, 2016.

Sec. 2. K.S.A. 68-2009 is hereby amended to read as follows: 68-2009. (a) The authority is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, and to contract with any

person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, motor fuel filling stations, garages, and restaurants, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use. All contracts made by the authority for retail establishments or locations for retail establishments shall be made separately for each retail establishment or location for a retail establishment and sealed bids shall be asked separately on each retail establishment or each location for a retail establishment by public offering duly advertised as provided by law for the advertising for bids on state highway construction projects and each such contract shall be let by the authority in like manner as provided by law for the letting of highway construction contracts by the secretary of transportation. Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the turnpike project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any, to pay ~~(a)~~; (1) The cost of maintaining, repairing and operating such turnpike project or projects; and ~~(b)~~(2) the principal of and the interest on such bonds as the same shall become due and payable, and to create reserves for such purposes.

(b) Such tolls shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the state. The tolls and all other revenues derived from the turnpike project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made; the tolls or other revenues or other moneys so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the authority. The use and disposition of moneys to the credit of such sinking fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such sinking fund shall be a fund for all such bonds without distinction or priority of one over another.

(c) The authority shall not use toll or other revenue for any other purposes than those set forth in this section.

Sec. 3. K.S.A. 68-2021 is hereby amended to read as follows: 68-2021. On and after July 1, 2016, the secretary of transportation and the Kansas turnpike authority are hereby authorized and empowered to contract with each other, by the terms of which contract or contracts the secretary may undertake; (1) to provide personnel and

equipment, either of the department of transportation or consulting or contracting firms, required in making any traffic and cost studies or surveys or origin-destination studies necessary preliminary to financing by the Kansas turnpike authority of any particular toll project undertaken as authorized by law, and to do such work; and

(2) to provide personnel and equipment required, and to do any engineering, geological work, soils testing or materials testing which may be required by the Kansas turnpike authority either preliminary to the financing of any particular toll project authorized by law or which may be required after such financing and during the construction of such project: ~~Provided, That, The~~ charges for services contemplated by such project shall be made by the secretary of transportation on the basis of the total and actual cost to the department of all wages, salaries, expenses, equipment rental, damage to equipment, depreciation or other charges and expenses chargeable to the services to be rendered to the Kansas turnpike authority: ~~Provided further,~~ except that the total amount of any credit and funds advanced hereunder shall not at any one time exceed the sum of ~~two hundred fifty thousand dollars (\$250,000)~~ \$250,000.

New Sec. 4. (a) The secretary of transportation and the Kansas turnpike authority are hereby authorized and empowered to contract with each other to provide personnel and equipment and other resources, either of the department of transportation, the Kansas turnpike authority or consulting or contracting firms for: (1) Recordkeeping, reporting, administrative, planning, engineering, legal and clerical functions; and

(2) construction, operation and maintenance of turnpike projects and highways of the state.

(b) The Kansas turnpike authority shall retain its separate identity, powers and duties as an instrumentality of the state. Duplication of effort, facilities and equipment shall be minimized by the authority and the secretary of transportation in operation and maintenance of turnpikes and highways of the state. The authority and the secretary are authorized to take such action as necessary to implement this section, including the temporary transfer of personnel, property and equipment from the authority to the secretary, and the secretary to the authority, to effect contracts described in subsection (a). The integrity of the bonded indebtedness shall be maintained through the actions of the authority.

(c) The provisions of this section shall expire and have no effect on and after July 1, 2016.";

On page 1, in the title, in line 1, after concerning, by inserting "transportation; relating to"; also in line 1, after "authority;" by inserting "director of operations;"

And by renumbering sections accordingly;

And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

Conferees on part of Senate

RICHARD J. PROEHL

RONALD RYCKMAN, SR.

EMILY PERRY

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2234** was

adopted.

On roll call, the vote was: Yeas 76; Nays 44; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Doll, Dove, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carpenter, Clayton, Davis, Dierks, Dillmore, Edmonds, Edwards, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Kahrs, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Rooker, Ruiz, Sloan, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2234** because this bill has way too much left to the unknown. The Turnpike is a well-managed program that should not be messed with.

Making the Secretary of Transportation as the Director of Operations is new.

Why do we need this? Why are we not doing a study as to what is needed for the Turnpike's sake? Why have we repealed good statutes and left the bad statutes in place?

I encourage my colleagues to change their votes to NO for this bill and send it back for more study and more answers. – JOE EDWARDS

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2052** 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 18, by striking "on the premises"; in line 19, by striking "of" and inserting "in"; in line 29, by striking "Subject to provisions of subsection (b)."; in line 31, by striking "concealed"; also in line 31, after "handgun" by inserting "or other firearm concealed or unconcealed"; in line 32, after "any" by inserting "secure area of a"; also in line 32, after "premises" by inserting ", except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (b)";

On page 3, in line 1, after "of" by inserting "only"; following line 13, by inserting:

"(j) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may exempt any building of such institution from this section for a period of four years only by stating the reasons for such

exemption and sending notice of such exemption to the Kansas attorney general:

(1) A state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(2) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(3) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;

(4) an indigent health care clinic, as defined by K.S.A. 2012 Supp. 65-7402, and amendments thereto; or

(5) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, including any buildings located on the grounds of such institution and any buildings leased by such institution.

(k) The provisions of this section shall not apply to any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind.";

And by redesignating remaining subsections accordingly;

Also on page 3, in line 23, by striking "shall" and inserting "may"; in line 26, after "thereto" by inserting ", but does not include school districts"; in line 32, after "(5)" by inserting "(A)"; following line 36, by inserting:

"(B) On and after July 1, 2014, provided that the provisions of section 3, and amendments thereto, are in full force and effect, the term "state and municipal building" shall not include the state capitol.";

Also on page 3, following line 40, by inserting:

"New Sec. 3. (a) A license issued under K.S.A. 75-7c01 et seq., and amendments thereto, shall authorize the licensee to carry a concealed handgun in the state capitol in accordance with the provisions of K.S.A. 75-7c01 et seq., and amendments thereto.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2014, unless the legislative coordinating council determines that on July 1, 2014, the state capitol does have adequate security measures, as that term is defined in section 2, and amendments thereto, to ensure that no weapons are permitted to be carried into the state capitol. Such determination shall be made on or after June 1, 2014, but no later than July 1, 2014.

(c) This section shall be a part of and supplemental to the personal and family protection act.";

On page 4, by striking all in lines 32 through 34;

And by redesignating remaining paragraphs accordingly;

On page 5, in line 30, by striking "or"; following line 30, by inserting:

"(8) law enforcement officers from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C; or";

Also on page 5, in line 31, by striking "(8)" and inserting "(9)";

On page 7, in line 7, by striking "or"; in line 18, after "thereto" by inserting "; or

(3) law enforcement officers from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, to possess a firearm";

Also on page 7, in line 25, by striking "Facilities" and inserting "Buildings"; in line 26, by striking "facilities" and inserting "buildings"; in line 35, by striking "facilities"

and inserting "buildings"; in line 36, by striking "facility" and inserting "building"; in line 37, by striking "facility" and inserting "building";

On page 19, in line 33, by striking "premises are" and inserting "building is"; in line 34, by striking "premises" and inserting "a building";

On page 20, in line 38, by striking "premises are" and inserting "building is"; in line 40, by striking "premises" and inserting "a building";

On page 21, by striking all in lines 22 through 30 and inserting:

"(c) (1) Any private entity which provides adequate security measures in a private building and which conspicuously posts signage in accordance with this section prohibiting the carrying of a concealed handgun in such building 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.

(2) Any private entity which does not provide adequate security measures in a private 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.

(3) Nothing in this act shall be deemed to increase the liability of any private entity where liability would have existed under the personal and family protection act prior to the effective date of this act.

(d) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may permit any employee, who is licensed to carry a concealed handgun as authorized by the provisions of K.S.A. 75-7c01 et seq., and amendments thereto, to carry a concealed handgun in any building of such institution, if the employee meets such institution's own policy requirements regardless of whether such building is conspicuously posted in accordance with the provisions of this section:

(1) A unified school district;

(2) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto;

(3) a state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(4) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(5) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; or

(6) an indigent health care clinic, as defined by K.S.A. 2012 Supp. 65-7402, and amendments thereto.";

And by redesignating remaining subsections accordingly;

Also on page 21, in line 33, by striking "premises are" and inserting "building is";

On page 22, following line 14, by inserting:

"(f) On and after July 1, 2014, provided that the provisions of section 3, and amendments thereto, are in full force and effect, the provisions of this section shall not apply to the carrying of a concealed handgun in the state capitol.";

And by redesignating remaining subsections accordingly;

Also on page 22, in line 24, by striking "premises" and inserting "a building";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER
 JAY SCOTT EMLER
 TOM HAWK
Conferees on part of Senate

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
 LOUIS E. RUIZ
Conferees on part of House

On motion of Rep. Siegfroid, the conference committee report on **S Sub for HB 2052** was adopted.

On roll call, the vote was: Yeas 104; Nays 16; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple.

Nays: Bollier, Bridges, Clayton, Finney, Henderson, Hill, Kuether, Perry, Phillips, Rooker, Ruiz, Sloop, Trimmer, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

EXPLANATION OF VOTE

MR. SPEAKER: With passage of this legislation a certainty, my vote today honors: Charlotte Bacon, Daniel Barden, Rachel D'Avino, Olivia Engel, Josephine Gay, Dylan Hockley, Dawn Lafferty Hochsprung, Madeleine Hsu, Catherine V. Hubbard, Chase Kowalski, Nancy Lanza, Jesse Lewis, Ana Marquez-Greene, James Mattioli, Grace McDonnell, Anne Marie Murphy, Emilie Parker, Jack Pinto, Noah Pozner, Caroline Previdi, Jessica Rekos, Aveille Richman, Lauren Rousseau, Mary Sherlach, Victoria Soto, Benjamin Wheeler, Allison N. Wyatt.

While we protect the Second Amendment rights of law-abiding citizens, it's imperative that we strengthen the mental health safety net and institute universal background checks to help reduce senseless gun violence.

I vote no on **S Sub for HB 2052**. — MELISSA ROOKER, GAIL FINNEY, KATHY WOLFE MOORE

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2253** 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 5, following line 8, by inserting:

"New Sec. 10. (a) No person shall perform or induce an abortion or attempt to perform or induce an abortion with knowledge that the pregnant woman is seeking the abortion solely on account of the sex of the unborn child.

(b) (1) A woman upon whom an abortion is performed or induced, or upon whom there is an attempt to perform or induce an abortion, in violation of this section, the father, if married to the woman at the time of the abortion, and the parents or custodial guardian of the woman, if the woman has not attained the age of 18 years at the time of the abortion, may in a civil action obtain appropriate relief, unless, in a case where the plaintiff is not the woman upon whom the abortion was performed, the pregnancy resulted from the plaintiff's criminal conduct.

(2) Such relief shall include:

(A) Money damages for all injuries, psychological and physical, occasioned by the violation of this section;

(B) statutory damages equal to three times the cost of the abortion;

(C) injunctive relief; and

(D) reasonable attorney fees.

(c) A woman upon whom an abortion is performed shall not be prosecuted under this section for a conspiracy to violate this section pursuant to K.S.A. 2012 Supp. 21-5302, and amendments thereto.

(d) Nothing in this section shall be construed to create a right to an abortion. Notwithstanding any provision of this section, a person shall not perform an abortion that is prohibited by law.

(e) Upon a first conviction of a violation of this section, a person shall be guilty of a class A person misdemeanor. Upon a second or subsequent conviction of a violation of this section, a person shall be guilty of a severity level 10, person felony.

(f) If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the 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.

(g) For purposes of this section, the term "abortion" has the same meaning as such term is defined in K.S.A. 65-6701, and amendments thereto.";

Also on page 5, in line 22, by striking "(b)"; following line 35, by inserting:

"(b) (1) For employers that have established a small employer health benefit plan after December 31, 1999, but prior to January 1, 2005, the amount of the credit allowed by subsection (a) shall be \$35 per month per eligible covered employee or 50% of the total amount paid by the employer during the taxable year, whichever is less, for the first two years of participation. In the third year, the credit shall be equal to 75% of the lesser of \$35 per month per employee or 50% of the total amount paid by the employer during the taxable year. In the fourth year, the credit shall be equal to 50% of the lesser

of \$35 per month per employee or 50% of the total amount paid by the employer during the taxable year. In the fifth year, the credit shall be equal to 25% of the lesser of \$35 per month per employee or 50% of the total amount paid by the employer during the taxable year. For the sixth and subsequent years, no credit shall be allowed.";

Also on page 5, in line 36, before "For" by inserting "(2)";

On page 6, in line 17, by striking "2004" and inserting "1999";

On page 28, in line 23, after "care" by inserting "when such expenses were paid or incurred for abortion coverage"; in line 24, after "thereto," by inserting "when such expenses were paid or incurred for abortion coverage"; in line 28, by striking "an itemized" and inserting "a";

On page 32, in line 16, after "care" by inserting "when such expenses were paid or incurred for abortion coverage"; in line 17, after "thereto," by inserting "when such expenses were paid or incurred for abortion coverage";

And your committee on conference recommends the adoption of this report.

MARY PILCHER-COOK

ELAINE BOWERS

Conferees on part of Senate

ARLEN H. SIEGFREID

STEVEN R. BRUNK

Conferees on part of House

On motion of Rep. Siegfroid, the conference committee report on **HB 2253** was adopted.

On roll call, the vote was: Yeas 90; Nays 30; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Henderson, Hill, Houston, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sloan, Sloop, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Finch, Osterman, Peterson, Sawyer, Tietze.

CONFERENCE COMMITTEE REPORT

On motion of Rep. Siegfroid to not adopt the conference committee report on **S Sub for HB 2199** (see previous action, pp. 770-789 of this Journal) and that a new

conference committee be appointed, the motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Siegfried, Brunk and Ruiz as second conferees on the part of the House.

REPORT ON ENGROSSED BILLS

Sub HB 2024; HB 2109 reported correctly engrossed April 5, 2013.

REPORT ON ENROLLED BILLS

HB 2012, HB 2083, HB 2106, HB 2135, HB 2144, HB 2160, HB 2170, HB 2200; Sub HB 2207; HB 2212, HB 2217, HB 2221, HB 2228, HB 2278, HB 2294, HB 2302, HB 2322, HB 2326, HB 2353, HB 2368 reported correctly enrolled, properly signed and presented to the Governor on April 5, 2013.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Wednesday, May 8, 2013.

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 8, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Rep. Osterman was excused on verified illness.

Reps. Doll, Kelley, Montgomery and Weber were excused on excused absence by the Speaker.

Prayer by Representative Dove:

Thank you Lord for your many blessings. Thank you for a safe return to your House. We give you all the praise and glory to your Son. Lord, may we put your face of rightness in our votes. In Jesus' name, Amen.

The Pledge of Allegiance was led by Rep. Carlin.

INTRODUCTION OF GUESTS

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

We are here to congratulate Emporia State University's debate team of Ryan Walsh and Elijah Smith on winning the National Debate Tournament and the Cross Examination Debate Association national tournament. With us today are Coach Sam Maurer and Marie Miller.

Walsh and Smith won the National Debate Tournament defeating team from Northwestern University, just one week after Smith and Walsh also won the Cross Examination Debate Association national tournament. Emporia State University is the first program to have a team win both titles in the same season. Smith and Walsh are also the first black team to win the NDT title in a round that took over two hours.

Please join me in congratulating Walsh, Smith, Maurer, and Marie Miller. The Emporia State University Community and the entire state of Kansas should be proud of their accomplishments.

MESSAGES FROM THE GOVERNOR

**HB 2012, HB 2083, HB 2106, HB 2135, HB 2144, HB 2160, HB 2200, HB 2203;
Sub HB 2207; HB 2212, HB 2217, HB 2221, HB 2228, HB 2278, HB 2294, HB 2302,**

HB 2322, HB 2326, HB 2353, HB 2368 approved on April 10, 2013.

Also, **HB 2170** approved on April 11, 2013.

Also, **S Sub for HB 2011; Sub HB 2017; HB 2025, HB 2033; Sub HB 2043; S Sub for HB 2052; HB 2069, HB 2078, HB 2093; Sub HB 2105; HB 2107, HB 2109, HB 2128, HB 2139; S Sub for HB 2150; HB 2164, HB 2349** approved on April 16, 2013.

Also, **HB 2009; S Sub for HB 2167; Sub HB 2183; HB 2201, HB 2339, HB 2363** approved on April 17, 2013.

Also, **HB 2234, HB 2253** approved on April 19, 2013.

Also, **Sub HB 2024; S Sub for HB 2034; HB 2319** approved on April 22, 2013.

MESSAGE FROM THE GOVERNOR

April 25, 2013

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

EXECUTIVE DIRECTIVE No. 13-439
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 Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 74-7316, 2012 annual report of the Crime Victims Compensation Board.

From David N. Harper, Director, Division of Property Valuation, Kansas Department of Revenue, in accordance with K.S.A. 79-1490, Kansas 2012 Preliminary Appraisal/Sales Real Estate Ratio Study.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health & Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for March 2013 reporting period.

The complete reports are 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 23**.

The Senate adopts the Conference Committee report on **SB 102**.

The Senate adopts the Conference Committee report on **SB 122**.

The Senate adopts the Conference Committee report on **SB 199**.

The Senate adopts the Conference Committee report on **HB 2204**.

The Senate not adopts the Conference Committee report on **SB 171**, requests a conference and appoints Senators Abrams, Arpke and Hensley as third conferees on the part of the Senate.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Couture-Lovelady on Committee on Appropriations to replace Rep. Weber on May 9.

PROTEST

MR. SPEAKER: Pursuant to Article 2, Section 10 of the Kansas Constitution, I hereby submit the following protest regarding **SB 23**.

One section of **SB 23** allows a local school board that has levied an additional property tax for ancillary school facilities for two years to continue that levy for up to six additional years. This new law expands the number years a district may use this extra school finance formula device to enhance the amount of money available to these wealthy districts from three (3) years to six (6) years. The amount of the levy is reduced to 90.0 percent in the first year of the six-year period, 75.0 percent in the second year, 60.0 percent in the third year, 45.0 percent in the fourth year, 30.0 percent in the fifth year, and 15.0 percent in the sixth year.

The original ancillary school facilities law permitted school district to request permission to levy an additional property tax for up to two years to defray costs associated with commencing operation of a new facility beyond the costs otherwise financed under the law.

The original ancillary school facilities law provided an addition benefit to a few rapidly growing wealthy districts, it created a disparity in the distribution of education funds and is dis-equalizing. The enhanced ancillary school facilities law enacted in Senate Bill 23 increases that disparity in the distribution of education funds, and increases the dis-equalizing of the school finance formula.

This is in direct violation of the Court order issued in Gannon vs. State of Kansas. Therein the “State of Kansas was enjoined from performing the unconstitutional act of “amending, changing, altering, diluting, superseding, or by-passing any of the provisions of K.S.A. 72-6434 (school finance formula) as it existed on July 1, 2012, if the effect of the same would be to create a wealth based disparity in the distribution of funds or in the ability to use local option budget by a school district.”

This order has been enjoined by the Kansas Supreme Court to allow the parties to mediate their issues with the goal of settling the case. It is bad legal advice and worse settlement strategy to disregard and ignore a Court order even while it is stayed.

SB 23 amends the school finance formula the effect is to create a wealth based disparity in the distribution of funds in violation of a legal Court order.

Mr. Speaker, I vote NO on **SB 23**. – JIM WARD

PROTEST

MR. SPEAKER: Pursuant to Article 2, Section 10 of the Kansas Constitution, I hereby submit the following protest regarding the Second Conference Committee Report on **SB 171**.

SB 171 would increase the Base State Aid per Pupil from current level of \$3,838 to \$4,264 for school years 2013-2014 and 2014-2015.

Then **SB 171** by legislative mandate would transfer money from the local option budget of every school district in an amount equal to the difference between current state adjusted enrollment funding of \$3,838, to the amount needed to meet new adjusted enrollment amount of \$4,264. Under **SB 171** every school district in the state would have the exact same amount of money from the exact same tax revenue sources in 2013-2014 as they do in 2012-2013. There would be no additional money. *The state is using an accounting gimmick to create the allusion of spending more money on Base State Aid per Pupil.*

This is in direct violation of the Court order issued in Gannon vs. State of Kansas. Therein the State of Kansas was enjoined from performing the *unconstitutional act* of “*using any accounting mechanism* that would, will or may in due course affect, *effect* or fund less that the base student aid per pupil as it existed on July 1, 2012.”

This order has been enjoined by the Kansas Supreme Court to allow the parties to mediate their issues with the goal of settling the case. It is bad legal advice and worse settlement strategy to disregard and ignore a Court order even while it is stayed.

SB 171 implements an accounting gimmick to mislead the Court and the people of Kansas regarding the amount of funding being made available to Kansas school children in violation of a legal Court order.

Mr. Speaker, I vote NO on **SB 171**. – JIM WARD

REPORT ON ENGROSSED BILLS

Sub HB 2017 reported correctly engrossed April 6, 2013.

HB 2339 reported correctly engrossed April 8, 2013.

REPORT ON ENROLLED BILLS

HB 2009; S Sub for HB 2011; Sub HB 2017; Sub HB 2024; HB 2025, HB 2033; S Sub for HB 2034; S Sub for HB 2043; S Sub for HB 2052; HB 2069, HB 2078; S Sub for HB 2093; Sub HB 2105; HB 2107, HB 2109, HB 2128, HB 2139; S Sub for HB 2150; HB 2164; S Sub for HB 2167; Sub HB 2183; HB 2201, HB 2234, HB 2253, HB 2319, HB 2339, HB 2349, HB 2363 reported correctly enrolled, properly signed and presented to the Governor on April 12, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6024, HR 6029, HR 6030 reported correctly enrolled and properly signed on April 8, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, May 9, 2013.

Journal of the House

FIFTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 9, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 123 members present.

Rep. Osterman was excused on verified illness.

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

Reps. Edwards, Henderson and Peterson were excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Imir Gashi, Pristina Nazarene Church, Kosovo, guest of Rep. Jones and the son-in-law of Rep. Peck:

Our Heavenly Father,

We thank you today for your goodness and grace toward us. Thank you for your unfailing love and your tender mercies that are new every morning.

We pray for the House of Representatives, for the Senate and the Governor. We ask for your blessings and your protection over their lives and their families. Bless them with your wisdom so that they may honor you with their lives and their service. Grant them the boldness they need to stand for the truth and for what is right. Help them to make the right decisions and to follow your guidance.

I pray that they will seek to honor you by serving faithfully and wholeheartedly. Recognizing that you are the ultimate authority, the Sovereign and Supreme one over all the universe.

We pray for the State of Kansas, that it would prosper and flourish in the bounty of your blessings. For you are good and your love endures forever.

We ask all these things in the Name of Christ our Lord, Amen.

Rev. Gashi concluded with "The Lord's Prayer" in his native language of Albanian.

The Pledge of Allegiance was led by Rep. Burroughs.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Goico, **HCR 5018**, A CONCURRENT RESOLUTION honoring native Kansan, Army Chaplain Father Emil Kapaun, Medal of Honor winner, was adopted.

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

Captain Emil Joseph Kapaun was a Roman Catholic priest and a United States chaplain who died as a prisoner of war during the Korean War at age 35. For his wartime activities, the Roman Catholic Church has declared him a "Servant of God", which is the first stage on the path to sainthood. On April 11, 2013, President Obama awarded him the "Medal of Honor".

Emil Kapaun was born and grew up on a farm three miles southwest of Pilsen, Kansas. His parents were Czech, immigrants. In 1940, Kapaun was ordained a priest in Wichita. Father Kapaun joined the army in 1944. He served in the Burma Theater during World War II. He was discharged. He re-joined the Army prior to the Korean War.

He was awarded the Medal of Honor for acts of valor during the Battle of Unsan. As Chinese Communist forces encircled the battalion, Kapaun moved fearlessly from foxhole to foxhole under direct enemy fire in order to provide comfort and reassurance to the outnumbered soldiers. He repeatedly exposed himself to enemy fire to recover wounded men, dragging them to safety. When he couldn't drag them, he dug shallow trenches to shield them from enemy fire. As Chinese forces closed in, Kapaun rejected several chances to escape, instead volunteering to stay behind and care for the wounded, until he was taken as a prisoner.

After he was captured, Chaplain Kapaun and other prisoners were marched for three weeks, in subzero weather, 87 miles toward prisoner-of-war camps. During the march Kapaun led by example in caring for injured soldiers, refusing to take a break from carrying the stretchers of the wounded while encouraging others to do their part.

In the prison camp, Father Kapaun risked his life by sneaking around the camp after dark, foraging for food, caring for the sick, and encouraging his fellow soldiers to sustain their faith and their humanity. On at least one occasion, he was brutally punished for his disobedience, being forced to sit outside in subzero weather without any garments.

Chaplain Emil Kapaun repeatedly risked his own life to save the lives of hundreds of fellow Americans. His extraordinary courage, faith and leadership inspired thousands of prisoners to survive hellish conditions, resist enemy indoctrination, and retain their faith in God and country.

Because of his service in combat conditions Father Kapaun was awarded the Medal of Honor, Distinguish Service Cross, Legion of Merit, Bronze Star Medal with a Valor Device, Prisoner of War Medal and numerous other campaign medals. Chaplain Kapaun is one of the most decorated chaplains in the history of the Chaplain Corp.

Many American soldiers that were in the prison camps with Father Kapaun remembered him for his great humility, bravery, love, kindness and solicitude for his fellow prisoners. He was their hero, and their admired and beloved "padre." He kept up the G.I.'s morale, and most of all, allowed a lot of men to not despair in their faith.

Fr. Kapaun is an example of devotion to duty, and bravery of body and soul. He lived the Catholic faith in his devotion to a Christ-like life, in the spirit of one who loved and served God and man unto death.

Receiving this resolution is Father John Hotze who serves as a Chaplain at McConnell Air Force Base and is a priest of the Diocese of Wichita. He is also the Director of the Father Kapaun Guild. In this position Father Hotze gathers and disseminates information on the life of Chaplain Emil Kapaun.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

COMMUNICATIONS FROM STATE OFFICERS

From William V. Minner, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004, Annual Report Fiscal Year 2012, July 1, 2011-June 30, 2012.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2413, AN ACT concerning the state court of tax appeals; renaming the court to the state board of tax appeals; removal of members; timing of decisions; public policy determinations; amending K.S.A. 2012 Supp. 2-131e, as amended by section 7 of 2013 Senate Bill No. 56, 9-1402, 12-110a, 12-631, 12-1664, 12-16,109, 12-1737, 12-1742, 12-1744a, 12-1744b, 12-1744c, 12-1744d, 12-1755, 12-1934, 12-3206, 12-3805, 14-1060, 17-1374, 19-236, 19-431, 19-15,103, 19-15,106, 19-15,116, 19-15,123, 19-2106f, 19-2653, 19-2752a, 19-3554, 19-4420, 19-4442, 20-356, 20-363, 20-626, 24-133, 24-665, 24-1219, 31-144, 38-549, 68-151n, 72-4142, 72-6441, as amended by section 3 of 2013 Senate Bill No. 23, 72-6443, 72-6451, 72-8203b, 74-2426, 74-2433, 74-2433a, 74-2433b, 74-2433c, 74-2433d, 74-2433e, 74-2433f, as amended by section 11 of 2013 Senate Bill No. 83, 74-2433g, 74-2434, 74-2435, 74-2436, 74-2437, 74-2437a, 74-2437b, 74-2438, 74-2438a, 74-2439, 74-2442, 74-2447, 74-4911f, 75-430, 75-37,121, 75-4201, 75-5104, 75-5107, 75-5121, 75-5161, 77-514, 77-529, 79-210, 79-213, 79-213a, 79-213d, 79-332a, 79-425a, 79-5a27, 79-6a14, 79-1404a, 79-1409, 79-1410, 79-1413a, 79-1422, 79-1426, 79-1427a, 79-1437f, 79-1448, as amended by section 13 of 2013 Senate Bill No. 83, 79-1476, 79-1478, 79-1478a, 79-1479, 79-1481, 79-1489, 79-1609, as amended by section 14 of 2013 Senate Bill No. 83, 79-1611, 79-1701, 79-1702, as amended by section 16 of 2013 Senate Bill No. 83, 79-1703, 79-1704, 79-1964a, 79-1964b, 79-2005, as amended by section 17 of 2013 Senate Bill No. 83, 79-2416d, 79-2925a, 79-2938, 79-2939, 79-2940, 79-2951, 79-2951, 79-2977, 79-3107c, 79-3221, 79-3226, 79-3233g, 79-32,193, 79-3694, 79-5205, 80-119, 80-808, 80-1920 and 82a-1030 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 75-37,121a, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 171**.

Speaker Merrick thereupon appointed Reps. Cassidy, Grosserode and Winn as third conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2120** 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 9, following line 24, by inserting:

"Sec. 3. K.S.A. 2012 Supp. 21-6805 is hereby amended to read as follows: 21-6805. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for drug crimes. The following sentencing guidelines grid for drug crimes shall be applicable to felony crimes under K.S.A. 2012 Supp. 21-5701 through 21-5717, and amendments thereto, except as otherwise provided by law:

SENTENCING RANGE - DRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Misdemeanor Felonies	1 Person Felony	3+ Misdemeanor Felonies	2 Misdemeanor Felonies	1 Misdemeanor Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	186 186 176	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	109 100 96	103 98 92
III	83 78 74	77 73 68	72 68 63	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	51 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	28 26 24	26 24 22	24 22 20	22 20 18	20 18 16	18 16 14

LEGEND
Presumptive Probation
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for drug crimes in subsection (a) represent months of imprisonment.

(c) (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. The sentencing court shall not distinguish between the controlled substances cocaine base (9041L000) and cocaine hydrochloride (9041L005) when sentencing within the sentencing range of the grid block.

(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 prison sentence as well as the duration of the nonprison sanction at the sentencing hearing.

(d) 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 4-E, 4-F, 4-G, 4-H, 4-I, 5-C or 5-D, the court may impose an optional nonprison sentence as provided in subsection (q) of K.S.A. 2012 Supp. 21-6804, and amendments thereto.

(e) The sentence for a second or subsequent conviction of K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2012 Supp. 21-5703, and amendments thereto, manufacture of any controlled substance or controlled substance analog, shall be a presumptive term of imprisonment of two times the maximum duration of the presumptive term of imprisonment. The court may impose an optional reduction in such sentence of not to exceed 50% of the mandatory increase provided by this subsection upon making a finding on the record that one or more of the mitigating factors as specified in K.S.A. 2012 Supp. 21-6815, and amendments thereto, justify such a reduction in sentence. Any decision made by the court regarding the reduction in such sentence shall not be considered a departure and shall not be subject to appeal.

(f) (1) The sentence for a third or subsequent felony conviction of K.S.A. 65-4160 or 65-4162, prior to their repeal, K.S.A. 2010 Supp. 21-36a06, prior to its transfer, or K.S.A. 2012 Supp. 21-5706, and amendments thereto, shall be a presumptive term of imprisonment and the defendant shall be sentenced to prison as provided by this section. The defendant's term of imprisonment shall be served in the custody of the secretary of corrections in a facility designated by the secretary. Subject to appropriations therefore, the defendant shall participate in an intensive substance abuse treatment program, of at least four months duration, selected by the secretary of corrections. If the secretary determines that substance abuse treatment resources are otherwise available, such term of imprisonment may be served in a facility designated

by the secretary of corrections in the custody of the secretary of corrections to participate in an intensive substance abuse treatment program. The secretary's determination regarding the availability of treatment resources shall not be subject to review. 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. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision.

(2) Such defendant's term of imprisonment shall not be subject to modification under paragraph (1) if:

(A) The defendant has previously completed a certified drug abuse treatment program, as provided in K.S.A. 2012 Supp. 75-52,144, and amendments thereto;

(B) has been discharged or refused to participate in a certified drug abuse treatment program, as provided in K.S.A. 2012 Supp. 75-52,144, and amendments thereto;

(C) has completed an intensive substance abuse treatment program under paragraph (1); or

(D) has been discharged or refused to participate in an intensive substance abuse treatment program under paragraph (1).

The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(g) (1) Except as provided further, if the trier of fact makes a finding that an offender ~~carried possessed~~ a firearm ~~to commit a drug felony and such firearm was readily accessible during the commission of~~, or in furtherance of, ~~a drug felony a felony violation of any provision of article 57 of chapter 21, and amendments thereto, possessed a firearm, or any attempt to commit such offense~~, in addition to the sentence imposed pursuant to K.S.A. 2012 Supp. 21-6801 through 21-6824, and amendments thereto, the offender shall be sentenced to:

(A) Except as provided in subsection (g)(1)(B), an additional 6 months' imprisonment; and

(B) if the trier of fact makes a finding that the firearm was discharged, an additional 18 months' imprisonment.

(2) The sentence imposed pursuant to subsection (g)(1) shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) The provisions of this subsection shall not apply to violations of K.S.A. 2012 Supp. 21-5706 or 21-5713, and amendments thereto.

Sec. 4. K.S.A. 2012 Supp. 21-5107, as amended by section 1 of 2013 House Bill No. 2252, is hereby amended to read as follows: 21-5107. (a) A prosecution for rape, aggravated criminal sodomy, 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 crime as defined in K.S.A. 22-3717, and amendments thereto:

(1) When the victim is 18 years of age or older shall be commenced within 10 years or one year from the date on which the identity of the suspect is conclusively

established by DNA testing, whichever is later; or

(2) when the victim is under 18 years of age shall be commenced within 10 years of the date the victim turns 18 years of age 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. 2012 Supp. 21-5102, and amendments thereto, not governed by subsection (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 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.

(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.;

And by renumbering sections accordingly;

Also on page 9, in line 25, by striking "and 21-6403" and inserting ", 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 21-6403 and 21-6805";

On page 1, in the title, in line 2, before "amending" by inserting "relating to DNA evidence; relating to statute of limitations; relating to possession of a firearm during a drug felony;"; in line 3, by "and 21-6403" and inserting ", 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 21-6403 and 21-6805";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

JOHN J. RUBIN

RAMON C. GONZALEZ, JR.

GAIL FINNEY

Conferees on part of House

On motion of Rep. Rubin, the conference committee report on **HB 2120** was adopted.

On roll call, the vote was: Yeas 74; Nays 49; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Cassidy, Claeys, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Hoffman, Houston, Huebert, Hutton, Jennings, Johnson, Kelly, Kuether, Lane, Lunn, Lusk, Meier, Menghini, Merrick, Moxley, Pauls, Perry, Peterson, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Sawyer, Seiwert, Sloan, Sloop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Barker, Bideau, Boldra, Bradford, Brunk, Carlson, Carpenter, Christmann, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Houser, Howell, Jones, Kahrs, Kelley, Kinzer, Kleeb, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Peck, Petty, Powell, Rhoades, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Suellentrop, Vickrey.

Present but not voting: None.

Absent or not voting: Osterman, Weber.

PROTEST

MR. SPEAKER: Pursuant to Article 2 Sec. 10 of the Constitution on the State of Kansas, I hereby make written protest with respect to those provisions of **HB 2120** purporting to decriminalize certain raffles. Article 15 Sec. 3 of the Constitution on the State of Kansas provides that "Lotteries and the sale of lottery tickets are forever prohibited."

Our state Supreme Court has interpreted the term lottery to apply to any game of chance. Article 15 Sec. 3a-c provide limited exceptions to this broad constitutional prohibition; in the case of non-governmental entities the only permissible “lotteries” are bingo games conducted by nonprofit entities and some forms of horse and dog racing. Thus under our Constitution the legislature lacks the authority to authorize private raffles. While the purported decriminalization of raffles in **HB 2120** is of questionable validity, it is clear that even in the absence of criminal sanction, raffles remain unlawful in Kansas as a matter of direct Constitutional prohibition. The action of the House in passing HB 2120 was ill considered and inconsistent with our carefully balanced Constitutional frame work regarding gambling in Kansas. — LANCE Y. KINZER

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2218** 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 41, following line 36, by inserting:

"Sec. 9. K.S.A. 2012 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	653 650 592	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	25 23 21	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	7 6 5

LEGEND
Presumptive Probation
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. 2012 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) (1) The sentence for the violation of the felony provision of K.S.A. 2012 Supp. 8-1025, K.S.A. 8-2-144, K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2012 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2012 Supp. 21-5823, K.S.A. 2012 Supp. 21-6412 and K.S.A. 2012 Supp. 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. 2012 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. 2012 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. 2012 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 K.S.A. 2012 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2012 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2012 Supp. 21-5823, K.S.A. 2012 Supp. 21-6412 and K.S.A. 2012 Supp. 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 K.S.A. 2012 Supp. 8-1025 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. 2012 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. 2012 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, 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, 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. 2012 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2012 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. 2012 Supp. 21-5807, or subsection (b) of K.S.A. 2012 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. 2012 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. 2012 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. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2012 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary or aggravated

burglary as defined in K.S.A. 2012 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in subsection (a) of K.S.A. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2012 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. 2012 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. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2012 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in subsection (a) of K.S.A. 2012 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. 2012 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2012 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. 2012 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. 2012 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. 2012 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2012 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. 2012 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. 10. On and after January 1, 2014, K.S.A. 32-1130 is hereby amended to read as follows: 32-1130. As used in K.S.A. 32-1131 through 32-1136, and amendments thereto:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) "Other competent evidence" includes: (1) Alcohol concentration tests obtained from samples taken ~~two~~ three hours or more after the operation or attempted operation of a vessel; and (2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(c) "Samples" includes breath supplied directly for testing, which breath is not preserved.

(d) "Vessel" and "operate" have the meanings provided by K.S.A. 32-1102, and amendments thereto.

Sec. 11. On and after January 1, 2014, K.S.A. 32-1131 is hereby amended to read as follows: 32-1131. (a) No person shall operate or attempt to operate any vessel 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 (b) of K.S.A. 32-1130, and amendments thereto, is .08 or more;

~~(+)~~ (2) the alcohol concentration in the person's blood or breath, at the time or within ~~two~~ three hours after the person operated or attempted to operate the vessel, is .08 or more;

~~(2)~~ (3) the alcohol concentration in the person's blood or breath, at the time or within ~~two~~ three hours after the person operated or attempted to operate the vessel is .02 or more and the person is less than 21 years of age;

~~(3)~~ (4) under the influence of alcohol to a degree that renders the person incapable of safely operating a vessel;

~~(4)~~ (5) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely operating a vessel; or

~~(5)~~ (6) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely operating a vessel.

(b) No person shall operate or attempt to operate any vessel within this state if the person is a habitual user of any narcotic, hypnotic, somnifacient or stimulating drug.

~~(e)~~ (b) 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.

~~(4)~~ (c) No person shall operate or attempt to operate any vessel within this state for three months after the date of refusal of submitting to a test if such person refuses to submit to a test pursuant to K.S.A. 32-1132, and amendments thereto.

~~(e)~~ (d) Except as provided by subsection ~~(+)~~ (e), violation of this section is a misdemeanor punishable:

(1) On the first conviction, by imprisonment of not more than one year or a fine of not less than \$100 nor more than \$500, or both; and

(2) on the second or a subsequent conviction, by imprisonment for not less than 90 days nor more than one year and, in the court's discretion, a fine of not less than \$100 nor more than \$500.

~~(+)~~ (e) Subsection ~~(e)~~ (d) shall not apply to or affect a person less than 21 years of age who submits to a breath or blood alcohol test requested pursuant to K.S.A. 32-1132, and amendments thereto, and produces a test result of an alcohol concentration of .02 or greater but less than .08. Such person's boating privileges upon the first occurrence shall be suspended for 30 days and upon a second or subsequent occurrence shall be suspended for 90 days.

~~(g)~~ (f) In addition to any other penalties prescribed by law or rule and regulation, any person convicted of a violation of this section shall be required to satisfactorily complete a boater safety education course of instruction approved by the secretary before such person subsequently operates or attempts to operate any vessel.";

And by redesignating sections accordingly;

Also on page 41, in line 38, by striking "and" and inserting a comma; also in line 38, after "21-5413" by inserting "and 21-6804";

Also on page 41, following line 38, by inserting:

"Sec. 13. On and after January 1, 2014, K.S.A. 32-1130 and 32-1131 are hereby repealed.";

On page 1, in the title, in line 1, by striking the first "driving" and inserting "prohibited activities while under the influence of alcohol or drugs"; in line 2, after "drugs;" by inserting "boating under the influence of alcohol or drugs;"; in line 3, after "8-1567a" by inserting ", 32-1130 and 32-1131"; in line 4, by striking the "and" and inserting a comma; in line 5, after "21-5413" by inserting "and 21-6804";

And your committee on conference recommends the adoption of this report.

JEFF KING
GREG SMITH
DAVID HALEY

Conferees on part of Senate

JOHN J. RUBIN
RAMON C. GONZALEZ, JR.
GAIL FINNEY

Conferees on part of House

On motion of Rep. Rubin, the conference committee report on **HB 2218** was adopted.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Suellentrop.

Present but not voting: None.

Absent or not voting: Osterman, Sloan, Weber.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2199** and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as second conferees on the part of the Senate.

Announcing adoption of **HCR 5018**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 20** 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 7 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 22 and inserting:

"Section 1. K.S.A. 2012 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in the Kansas offender registration act, unless the context otherwise requires:

(a) "Offender" means:

(1) A sex offender;

(2) a violent offender;

(3) a drug offender;

(4) any person who has been required to register under out of state law or is otherwise required to be registered; and

(5) any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act.

(b) "Sex offender" includes any person who:

(1) On or after April 14, 1994, is convicted of any sexually violent crime;

(2) On or after ~~April 14, 1994~~ July 1, 2002, is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3) has been determined to be a sexually violent predator;

(4) on or after ~~May 29~~ July 1, 1997, is convicted of any of the following crimes when one of the parties involved is less than 18 years of age:

(A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2012 Supp. 21-5511, and amendments thereto;

(B) criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-3505, prior to its

repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2012 Supp. 21-6420, and amendments thereto;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2012 Supp. 21-6421, and amendments thereto; or

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto;

(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. 2012 Supp. 21-5505, and amendments thereto;

(6) is convicted of 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. 2012 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of an offense defined in this subsection; or

(7) has been convicted of an offense that is comparable to any crime defined in this subsection, or any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection.

(c) "Sexually violent crime" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(4) 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. 2012 Supp. 21-5504, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. ~~21-5605~~ 21-5604, and amendments thereto;

(11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, and K.S.A. 2012 Supp. 21-5509, and amendments thereto, ~~committed on or after April 17, 2008;~~

(12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

(13) any conviction or adjudication for an offense that is comparable to a sexually violent crime as defined in this subsection, or any out of state conviction or adjudication for an offense that under the laws of this state would be a sexually violent crime as

defined in this subsection;

(14) 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. 2012 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually violent crime, as defined in this subsection; or

(15) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim. As used in this paragraph, "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.

(d) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(e) "Violent offender" includes any person who:

(1) On or after ~~May 29~~ July 1, 1997, is convicted of any of the following crimes:

(A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

(E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or subsections (a)(1), (a)(2) or (a)(4) of K.S.A. 2012 Supp. 21-5405, and amendments thereto. The provisions of this paragraph shall not apply to violations of subsection (a) (3) of K.S.A. 2012 Supp. 21-5405, and amendments thereto, which occurred on or after July 1, 2011, through July 1, 2013;

(F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(H) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age; or

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto;

(2) on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(3) has been convicted of an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(4) is convicted of 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this

subsection.

(f) "Drug offender" ~~means includes~~ any person who ~~has been convicted of, on or after July 1, 2007:~~

~~(1)~~ Is convicted of any of the following crimes:

~~(A)~~ (A) Unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2012 Supp. 21-5703, and amendments thereto;

~~(B)~~ (B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined in subsection (a) of K.S.A. 65-7006, prior to its repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer, or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

~~(C)~~ (C) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A. 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A. 2012 Supp. 21-5705, and amendments thereto. The provisions of this paragraph shall not apply to violations of subsections (a)(2) through (a)(6) or (b) of K.S.A. 2010 Supp. 21-36a05 which occurred on or after July 1, 2009, through April 15, 2010;

~~(2)~~ has been convicted of an offense that is comparable to any crime defined in this subsection, any out of state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

~~(3)~~ is or has been convicted of 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(g) Convictions or adjudications which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction or adjudication. Any conviction or adjudication set aside pursuant to law is not a conviction or adjudication for purposes of this section. A conviction or adjudication from any out of state court shall constitute a conviction or adjudication for purposes of this section.

(h) "School" means any public or private educational institution, including, but not limited to, postsecondary school, college, university, community college, secondary school, high school, junior high school, middle school, elementary school, trade school, vocational school or professional school providing training or education to an offender for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(i) "Employment" means any full-time, part-time, transient, day-labor employment or volunteer work, with or without compensation, for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(j) "Reside" means to stay, sleep or maintain with regularity or temporarily one's person and property in a particular place other than a location where the offender is incarcerated. It shall be presumed that an offender resides at any and all locations where the offender stays, sleeps or maintains the offender's person for three or more consecutive days or parts of days, or for ten or more non-consecutive days in a period of 30 consecutive days.

(k) "Residence" means a particular and definable place where an individual resides. Nothing in the Kansas offender registration act shall be construed to state that an offender may only have one residence for the purpose of such act.

(l) "Transient" means having no fixed or identifiable residence.

(m) "Law enforcement agency having initial jurisdiction" means the registering law enforcement agency of the county or location of jurisdiction where the offender expects to most often reside upon the offender's discharge, parole or release.

(n) "Registering law enforcement agency" means the sheriff's office or tribal police department responsible for registering an offender.

(o) "Registering entity" means any person, agency or other governmental unit, correctional facility or registering law enforcement agency responsible for obtaining the required information from, and explaining the required registration procedures to, any person required to register pursuant to the Kansas offender registration act. "Registering entity" shall include, but not be limited to, sheriff's offices, tribal police departments and correctional facilities.

(p) "Treatment facility" means any public or private facility or institution providing inpatient mental health, drug or alcohol treatment or counseling, but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto.

(q) "Correctional facility" means any public or private correctional facility, juvenile detention facility, prison or jail.

(r) "Out of state" means: the District of Columbia; any federal, military or tribal jurisdiction, including those within this state; any foreign jurisdiction; or any state or territory within the United States, other than this state.

(s) "Duration of registration" means the length of time during which an offender is required to register for a specified offense or violation.

Sec. 2. K.S.A. 2012 Supp. 22-4903 is hereby amended to read as follows: 22-4903.

(a) Violation of the Kansas offender registration act is the failure by an offender, as defined in K.S.A. 22-4902, and amendments thereto, to comply with any and all provisions of such act, including any and all duties set forth in K.S.A. 22-4905 through 22-4907, and amendments thereto. Any violation of the Kansas offender registration act which continues for more than 30 consecutive days shall, upon the 31st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate offense every 30 days thereafter for as long as the violation continues.

(b) Aggravated violation of the Kansas offender registration act is violation of the Kansas offender registration act which continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act which continues for more than 180 consecutive days shall, upon the 181st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate violation of the Kansas offender registration act every 30 days thereafter, or a new and separate aggravated violation of the Kansas offender registration act every 180 days thereafter, for as long as the violation continues.

(c) (1) Except as provided in subsection (c)(3), violation of the Kansas offender registration act is:

(A) Upon a first conviction, a severity level 6, person felony;

(B) upon a second conviction, a severity level 5, person felony; and

(C) upon a third or subsequent conviction, a severity level 3, person felony.

(2) Except as provided in subsection (c)(3), aggravated violation of the Kansas

offender registration act is a severity level 3, person felony.

(3) Violation of the Kansas offender registration act or aggravated violation of the Kansas offender registration act consisting only of failing to remit payment to the sheriff's office as required in subsection (k) of K.S.A. 22-4905, and amendments thereto, is:

(A) Except as provided in subsection (c)(3)(B), a class A misdemeanor if, within 15 days of registration, full payment is not remitted to the sheriff's office;

(B) a severity level 9, person felony if, within 15 days of the most recent registration, two or more full payments have not been remitted to the sheriff's office.

(d) Prosecution of violations of this section may be held:

(1) In any county in which the offender resides;

(2) in any county in which the offender is required to be registered under the Kansas offender registration act;

(3) in any county in which the offender is located during which time the offender is not in compliance with the Kansas offender registration act; or

(4) in the county in which any conviction or adjudication occurred for which the offender is required to be registered under the Kansas offender registration act.

Sec. 3. K.S.A. 2012 Supp. 22-4904 is hereby amended to read as follows: 22-4904.

(a) (1) At the time of conviction or adjudication for an offense requiring registration as provided in K.S.A. 22-4902, and amendments thereto, the court shall:

(A) Inform any offender, on the record, of the procedure to register and the requirements of K.S.A. 22-4905, and amendments thereto; and

(B) if the offender is released:

(i) 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;

(ii) 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;

(iii) 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

(iv) 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.

(2) At the time of sentencing or disposition for an offense requiring registration as provided in K.S.A. 22-4902, and amendments thereto, the court shall ensure the age of the victim is documented in the journal entry of conviction or adjudication.

(b) The staff of any correctional facility or the registering law enforcement agency's designee shall:

(1) At the time of initial custody, register any offender within three business days:

(A) Inform the offender of the procedure for registration and of the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) complete the registration form with all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto;

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(D) provide one copy of the form to the offender and, within three business days, send a copy of the form to the Kansas bureau of investigation; and

(E) enter all offender information required by the national crime information center into the national sex offender registry system within three business days of completing the registration 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;

(2) notify the Kansas bureau of investigation of the incarceration of any offender and of the location or any change in location of the offender while in custody;

(3) prior to any offender being discharged, paroled, furloughed or released on work or school release ~~from that does not require the daily return to a correctional facility, or otherwise released from incarceration:~~

(A) Inform the offender of the procedure for registration and of the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) complete the registration form with all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto;

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(D) photograph the offender's face and any identifying marks;

(E) obtain fingerprint and palm prints of the offender; and

(F) provide one copy of the form to the offender and, within three business days, send a copy of the form and of the photograph or photographs to the law enforcement agency having initial jurisdiction and to the Kansas bureau of investigation; and

(4) notify the law enforcement agency having initial jurisdiction and the Kansas bureau of investigation seven business days prior to any offender being discharged, paroled, furloughed or released on work or school release.

(c) The staff of any treatment facility shall:

(1) Within three business days of an offender's arrival for inpatient treatment, inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located of the offender's presence at the treatment facility and the expected duration of the treatment, and immediately notify the registering law enforcement agency of an unauthorized or unexpected absence of the offender during the offender's treatment;

(2) inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located within three business days of an offender's discharge or release; and

(3) provide information upon request to any registering law enforcement agency having jurisdiction relevant to determining the presence of an offender within the treatment facility.

(d) The registering law enforcement agency, upon the reporting of any offender, shall:

(1) Inform the offender of the duty to register as provided by the Kansas offender registration act;

(2) (A) explain the procedure for registration and the offender's registration requirements as provided in K.S.A. 22-4905, and amendments thereto;

(B) obtain the information required for registration as provided in K.S.A. 22-4907, and amendments thereto; and

(C) require the offender to read and sign the registration form, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(3) complete the registration form with all information and updated information required for registration, as provided in K.S.A. 22-4907, and amendments thereto, each time the offender reports to the registering law enforcement agency. All information and updated information reported by an offender shall be forwarded to the Kansas bureau of investigation within three business days;

(4) maintain the original signed registration form, provide one copy of the completed registration form to the offender and, within three business days, send one copy of the completed form to the Kansas bureau of investigation;

(5) forward a copy of any certified letter used for reporting pursuant to K.S.A. 22-4905, and amendments thereto, when utilized, within three business days to the Kansas bureau of investigation;

(6) obtain registration information from every offender required to register regardless of whether or not the offender remits payment. ~~Failure of the offender to remit payment is a violation of the Kansas offender registration act and is subject to prosecution pursuant to K.S.A. 22-4903, and amendments thereto;~~

(7) upon every required reporting, update the photograph or photographs of the offender's face and any new identifying marks and immediately forward copies or electronic files of the photographs to the Kansas bureau of investigation;

(8) enter all offender information required by the national crime information center into the national sex offender registry system within three business days of completing the registration 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;

(9) maintain a special fund for the deposit and maintenance of fees paid by offenders. All funds retained by the registering law enforcement agency pursuant to the provisions of this section shall be credited to a special fund of the registering law enforcement agency which shall be used solely for law enforcement and criminal prosecution purposes and which shall not be used as a source of revenue to reduce the amount of funding otherwise made available to the registering law enforcement agency; and

(10) forward any initial registration and updated registration information within three business days to any out of state jurisdiction where the offender is expected to reside, maintain employment or attend school.

(e) (1) The Kansas bureau of investigation shall:

(A) Forward all additions or changes in information to any registering law enforcement agency, other than the agency that submitted the form, where the offender expects to reside, maintain employment or attend school;

(B) ensure that offender information is immediately entered in the state registered

offender database and the Kansas registered offender website, as provided in K.S.A. 22-4909, and amendments thereto;

(C) transmit offender conviction or adjudication data, fingerprints and palm prints to the federal bureau of investigation; and

(D) 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.

(2) The director of the Kansas bureau of investigation may adopt rules and regulations necessary to implement the provisions of the Kansas offender registration act.

(f) The attorney general shall, within 10 business days of an offender being declared a sexually violent predator, forward to the Kansas bureau of investigation all relevant court documentation declaring an offender a sexually violent predator.

(g) The state department of education shall annually notify any school of the Kansas bureau of investigation internet website, and any internet website containing information on the Kansas offender registration act sponsored or created by the registering law enforcement agency of the county or location of jurisdiction in which the school is located, for the purpose of locating offenders who reside near such school. Such notification shall include information that the registering law enforcement agency of the county or location of jurisdiction where such school is located is available to the school to assist in using the registry and providing additional information on registered offenders.

(h) The secretary of health and environment shall annually notify any licensed child care facility of the Kansas bureau of investigation internet website, and any internet website containing information on the Kansas offender registration sponsored or created by the registering law enforcement agency of the county in which the facility is located, for the purpose of locating offenders who reside near such facility. Such notification shall include information that the registering law enforcement agency of the county or location of jurisdiction where such child care facility is located is available to the child care facilities to assist in using the registry and providing additional information on registered offenders.

(i) Upon request, the clerk of any court of record shall provide the Kansas bureau of investigation copies of complaints, indictments, information, journal entries, commitment orders or any other documents necessary to the performance of the duties of the Kansas bureau of investigation under the Kansas offender registration act. No fees or charges for providing such documents may be assessed.

Sec. 4. K.S.A. 2012 Supp. 22-4905 is hereby amended to read as follows: 22-4905. Any offender required to register as provided in the Kansas offender registration act shall:

(a) Except as otherwise provided in this subsection, register in person with the registering law enforcement agency within three business days of coming into any county or location of jurisdiction in which the offender resides or intends to reside, maintains employment or intends to maintain employment, or attends school or intends to attend school. Any such offender who cannot physically register in person with the registering law enforcement agency for such reasons including, but not limited to, incapacitation or hospitalization, as determined by a person licensed to practice

medicine or surgery, shall be subject to verification requirements other than in-person registration, as determined by the registering law enforcement agency having jurisdiction;

(b) except as provided further, for any: (1) Sex offender, including a violent offender or drug offender who is also a sex offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school; and (2) violent offender or drug offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school, except that, at the discretion of the registering law enforcement agency, one of the four required reports may be conducted by certified letter. When utilized, the certified letter for reporting shall be sent by the registering law enforcement agency to the reported residence of the offender. The offender shall indicate any changes in information as required for reporting in person. The offender shall respond by returning the certified letter to the registering law enforcement agency within 10 business days by certified mail. The offender shall be required to report to the registering law enforcement agency once during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday. The registering law enforcement agency may determine the appropriate times and days for reporting by the offender, consistent with this subsection. Nothing contained in this subsection shall be construed to alleviate any offender from meeting the requirements prescribed in the Kansas offender registration act;

(c) provide the information required for registration as provided in K.S.A. 22-4907, and amendments thereto, and verify all information previously provided is accurate;

(d) if in the custody of a correctional facility, register with the correctional facility within three business days of initial custody and shall not be required to update such registration ~~until released from custody, granted work release or otherwise allowed to leave the grounds of the~~ discharged, paroled, furloughed or released on work or school release from a correctional facility. A copy of the registration form and any updated registrations for an offender released on work or school release shall be sent, within three business days, to the registering law enforcement agency where the offender is incarcerated, maintains employment or attends school, and to the Kansas bureau of investigation;

(e) notwithstanding subsections (a) and (b), if the offender is transient, report in person to the registering law enforcement agency of such county or location of jurisdiction in which the offender is physically present within three business days of arrival in the county or location of jurisdiction. Such offender shall be required to register in person with the registering law enforcement agency every 30 days, or more often at the discretion of the registering law enforcement agency. Such offender shall comply with the provisions of the Kansas offender registration act and, in addition, shall:

(1) Provide a list of places where the offender has slept and otherwise frequented during the period of time since the last date of registration; and

(2) provide a list of places where the offender may be contacted and where the offender intends to sleep and otherwise frequent during the period of time prior to the next required date of registration;

(f) if required by out of state law, register in any out of state jurisdiction, where the offender resides, maintains employment or attends school;

(g) register in person upon any commencement, change or termination of residence location, employment status, school attendance or other information as provided in K.S.A. 22-4907, and amendments thereto, within three business days of such commencement, change or termination, to the registering law enforcement agency or agencies where last registered and provide written notice to the Kansas bureau of investigation;

(h) report in person to the registering law enforcement agency or agencies within three business days of any change in name;

(i) if receiving inpatient treatment at any treatment facility, inform the treatment facility of the offender's status as an offender and inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located of the offender's presence at the treatment facility and the expected duration of the treatment;

(j) submit to the taking of an updated photograph by the registering law enforcement agency on each occasion when the offender registers with or reports to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or attends school. In addition, such offender shall submit to the taking of a photograph to document any changes in identifying characteristics, including, but not limited to, scars, marks and tattoos;

(k) remit payment to the sheriff's office in the amount of \$20 ~~during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday as part of the reporting process required pursuant to subsection (b) in each county in which the offender resides, maintains employment or is attending school. Registration will be completed regardless of whether or not the offender remits payment. Failure of the offender to remit full payment within 15 days of registration is a violation of the Kansas offender registration act and is subject to prosecution pursuant to K.S.A. 22-4903, and amendments thereto.~~ Notwithstanding other provisions herein, payment of this fee is not required:

(1) When an offender provides updates or changes in information or during an initial registration unless such updates, changes or initial registration is during the month of such offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday;

(2) when an offender is transient and is required to register every 30 days, or more frequently as ordered by the registering law enforcement agency, except during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday; or

(3) if an offender has, prior to the required reporting and within the last three years, been determined to be indigent by a court of law, and the basis for that finding is recorded by the court;

(l) annually renew any driver's license pursuant to K.S.A. 8-247, and amendments thereto, and annually renew any identification card pursuant to K.S.A. 2012 Supp. 8-1325a, and amendments thereto;

(m) if maintaining primary residence in this state, surrender all driver's licenses and identification cards from other states, territories and the District of Columbia, except if the offender is presently serving and maintaining active duty in any branch of the

United States military or the offender is an immediate family member of a person presently serving and maintaining active duty in any branch of the United States military;

(n) read and sign the registration form noting whether the requirements provided in this section have been explained to the offender; and

(o) report in person to the registering law enforcement agency in the jurisdiction of the offender's residence and provide written notice to the Kansas bureau of investigation 21 days prior to any travel outside of the United States, and provide an itinerary including, but not limited to, destination, means of transport and duration of travel, or if under emergency circumstances, within three business days of making travel arrangements.

Sec. 5. K.S.A. 2012 Supp. 22-4906 is hereby amended to read as follows: 22-4906.

(a) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 15 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 15 years from the date of conviction:

(A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2012 Supp. 21-5511, and amendments thereto, when one of the parties involved is less than 18 years of age;

(C) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2012 Supp. 21-6421, and amendments thereto, when one of the parties involved is less than 18 years of age;

(D) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto, when one of the parties involved is less than 18 years of age;

(E) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

(F) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

(G) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

(H) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

(I) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or subsections (a)(1), (a)(2) or (a)(4) of K.S.A. 2012 Supp. 21-5405, and amendments thereto;

(J) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age;

(K) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved nonforcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(L) conviction of any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act;

(M) conviction of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(N) unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2012 Supp. 21-5703, and amendments thereto;

(O) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined by subsection (a) of K.S.A. 65-7006, prior to its repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer, or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

(P) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A. 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A. 2012 Supp. 21-5705, and amendments thereto; or

(Q) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 15 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(b) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 25 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 25 years from the date of conviction:

(A) Criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, when one of the parties involved is less than 18 years of age;

(B) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, or K.S.A. 2012 Supp. 21-5509, and amendments thereto;

(D) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments thereto;

(E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

(G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the victim is 14 or more years of age but less than 18 years of age;

(H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

(I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or

K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the prostitute is 14 or more years of age but less than 18 years of age; or

(J) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 25 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(c) Upon a second or subsequent conviction of an offense requiring registration, an offender's duration of registration shall be for such offender's lifetime.

(d) The duration of registration for any offender who has been convicted of any of the following offenses shall be for such offender's lifetime:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto;

(2) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto;

(4) 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. 2012 Supp. 21-5504, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and amendments thereto;

(7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if the victim is less than 14 years of age;

(8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the prostitute is less than 14 years of age;

(9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

(10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments thereto; or

(11) any 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. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(e) Any person who has been declared a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall register for such person's lifetime.

(f) Notwithstanding any other provisions of this section, for an offender less than 14 years of age who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of

K.S.A. 22-4902, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(g) Notwithstanding any other provisions of this section, for an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2012 Supp. 21-6804, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(h) Notwithstanding any other provisions of this section, an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2012 Supp. 21-6804, and amendments thereto, shall be required to

register for such offender's lifetime.

(i) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act for an offense that would not otherwise require registration as provided in subsection (a)(5) of K.S.A 22-4902, and amendments thereto, then all provisions of the Kansas offender registration act shall apply, except that the duration of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

(j) The duration of registration does not terminate if the convicted or adjudicated offender again becomes liable to register as provided by the Kansas offender registration act during the required period of registration.

(k) For any person moving to Kansas who has been convicted or adjudicated in an out of state court, or who was required to register under an out of state law, the duration of registration shall be the length of time required by the out of state jurisdiction or by the Kansas offender registration act, whichever length of time is longer. The provisions of this subsection shall apply to convictions or adjudications prior to June 1, 2006, and to persons who moved to Kansas prior to June 1, 2006, and to convictions or adjudications on or after June 1, 2006, and to persons who moved to Kansas on or after June 1, 2006.

(l) For any person residing, maintaining employment or attending school in this state who has been convicted or adjudicated by an out of state court of an offense that is comparable to any crime requiring registration pursuant to the Kansas offender registration act, but who was not required to register in the jurisdiction of conviction or adjudication, the duration of registration shall be the duration required for the comparable offense pursuant to the Kansas offender registration act. ~~The duration of registration shall begin upon establishing residency, beginning employment or beginning school.~~

Sec. 6. K.S.A. 2012 Supp. 22-4907 is hereby amended to read as follows: 22-4907. (a) Registration as required by the Kansas offender registration act shall consist of a form approved by the Kansas bureau of investigation, which shall include a statement that the requirements provided in this section have been reviewed and explained to the offender, and shall be signed by the offender and, except when such reporting is conducted by certified letter as provided in subsection (b) of K.S.A. 22-4905, and amendments thereto, witnessed by the person registering the offender. Such registration form shall include the following offender information:

- (1) Name and all alias names;
- (2) date and city, state and country of birth, and any alias dates or places of birth;
- (3) title and statute number of each offense or offenses committed, date of each conviction or adjudication and court case numbers for each conviction or adjudication;
- (4) city, county, state or country of conviction or adjudication;
- (5) sex and date of birth or purported age of each victim of all offenses requiring registration;
- (6) current residential address, any anticipated future residence and any temporary lodging information including, but not limited to, address, telephone number and dates of travel for any place in which the offender is staying for seven or more days; and, if transient, the locations where the offender has stayed and frequented since last reporting for registration;

(7) all telephone numbers at which the offender may be contacted including, but not limited to, all mobile telephone numbers;

(8) social security number, and all alias social security numbers;

(9) identifying characteristics such as race, ethnicity, skin tone, sex, age, height, weight, hair and eye color, scars, tattoos and blood type;

(10) occupation and name, address or addresses and telephone number of employer or employers, and name of any anticipated employer and place of employment;

(11) all current driver's licenses or identification cards, including a photocopy of all such driver's licenses or identification cards and their numbers, states of issuance and expiration dates;

(12) all vehicle information, including the license plate number, registration number and any other identifier and description of any vehicle owned or operated by the offender, or any vehicle the offender regularly drives, either for personal use or in the course of employment, and information concerning the location or locations such vehicle or vehicles are habitually parked or otherwise kept;

(13) license plate number, registration number or other identifier and description of any aircraft or watercraft owned or operated by the offender, and information concerning the location or locations such aircraft or watercraft are habitually parked, docked or otherwise kept;

(14) all professional licenses, designations and certifications;

(15) documentation of any treatment received for a mental abnormality or personality disorder of the offender; for purposes of documenting the treatment received, registering law enforcement agencies, correctional facility officials, treatment facility officials and courts may rely on information that is readily available to them from existing records and the offender;

(16) a photograph or photographs;

(17) fingerprints and palm prints;

(18) any and all schools and satellite schools attended or expected to be attended and the locations of attendance and telephone number;

(19) any and all: E-mail addresses; online identities used by the offender on the internet; information relating to membership in any and all personal web pages or online social networks; and internet screen names;

(20) all travel and immigration documents; and

(21) name and telephone number of the offender's probation, parole or community corrections officer.

~~(b)-(4) The offender shall also provide to the registering law enforcement agency DNA exemplars, unless already on file at the Kansas bureau of investigation provide biological samples for DNA analysis to the registering law enforcement agency as required by K.S.A. 21-2511, and amendments thereto. The biological samples shall be in the form using a DNA databank kit authorized by the Kansas bureau of investigation. The registering law enforcement agency shall forward such biological samples to the Kansas bureau of investigation. Prior to taking such sample, the registering law enforcement agency shall search the Kansas criminal justice information system to determine if such person's DNA profile is currently on file. If such person's DNA profile is on file with the Kansas bureau of investigation, the registering law enforcement agency is not required to take biological samples.~~

~~(2) If the exemplars to be taken require the withdrawal of blood, such withdrawal~~

may be performed only by:-

~~(A) A person licensed to practice medicine or surgery, or a person acting under the supervision of any such licensed person;~~

~~(B) a registered nurse or a licensed practical nurse;~~

~~(C) any qualified medical technician; or~~

~~(D) a licensed phlebotomist.~~

Sec. 7. K.S.A. 2012 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906 and 22-4907 are hereby repealed.";

And by redesignating sections accordingly;

On page 1, in the title, by striking all in lines 1 through 4 and inserting:

"AN ACT concerning the Kansas offender registration act; amending K.S.A. 2012 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906 and 22-4907 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 20** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Alford, Ballard, Barker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Becker.

Present but not voting: None.

Absent or not voting: Edwards, Henderson, Osterman, Peterson, Weber.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on

Senate amendments to **HB 2261** 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 6, by inserting:

"New Section 1. (a) In order to educate students about the sacrifices made for freedom in the founding of this country and the values on which this country was founded, the week of September containing the 17th day of such month in each year thereafter is hereby designated as "celebrate freedom week" in each public school offering any of the grades kindergarten through eight.

(b) The state board of education, in cooperation with such other state agencies or private entities who voluntarily participate, shall promote "celebrate freedom week" through a coordinated program.

(c) For purposes of this section, Sunday is deemed to be the first day of the week.

New Sec. 2. On or before December 31, 2013, the state board of education shall adopt rules and regulations requiring appropriate instruction be provided as part of the curriculum for grades kindergarten through eight on history and government concerning the original intent, meaning and importance of the declaration of independence and the United States constitution, including the bill of rights of the United States constitution, in their historical contexts. The religious references in the writings of the founding fathers shall not be censored when presented as part of such instruction. Such rules and regulations shall provide that the study of the declaration of independence include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of such ideas to the rich diversity of our people as a nation of immigrants, the American revolution, the formulation of the United States constitution and the abolitionist movement, which led to the emancipation proclamation and the women's suffrage movement. Such instruction shall be taught during "celebrate freedom week," established under section 1, and amendments thereto, or during such other full school week as determined by the board of education of the school district.";

On page 9, in line 32, by striking "June" and inserting "July"; in line 34, by striking "June 30" and inserting "July 15";

On page 11, following line 9, by inserting:

"Sec. 15. K.S.A. 2012 Supp. 72-8256 is hereby amended to read as follows: 72-8256. (a) As used in this section:

(1) "Bullying" means: (A) Any intentional gesture or any intentional written, verbal, electronic or physical act or threat either by any student, staff member or parent towards a student or by any student, staff member or parent towards a staff member that is sufficiently severe, persistent or pervasive that it such gesture, act or threat creates an intimidating, threatening or abusive educational environment ~~for a student or staff member~~ that a reasonable person, under the circumstances, knows or should know will have the effect of:

- (i) Harming a student or staff member, whether physically or mentally;
- (ii) damaging a student's or staff member's property;
- (iii) placing a student or staff member in reasonable fear of harm to the student or staff member; or
- (iv) placing a student or staff member in reasonable fear of damage to the student's

or staff member's property;

(B) cyberbullying; or

(C) any other form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205, and amendments thereto.

(2) "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

(3) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(4) "School district" or "district" means any unified school district organized and operating under the laws of this state.

~~(3)-(5)~~ (5) "School vehicle" means any school bus, school van, other school vehicle and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.

(6) "Staff member" means any person employed by a school district.

(b) The board of education of each school district shall adopt a policy to prohibit bullying either by any student, staff member or parent towards a student or by a student, staff member or parent towards a staff member on or while utilizing school property, in a school vehicle or at a school-sponsored activity or event.

(c) The board of education of each school district shall adopt and implement a plan to address bullying either by any student, staff member or parent towards a student or by a student, staff member or parent towards a staff member on school property, in a school vehicle or at a school-sponsored activity or event. Such plan shall include provisions for the training and education for staff members and students.

(d) The board of education of each school district may adopt additional policies relating to bullying pursuant to subsection (e) of K.S.A. 72-8205, and amendments thereto.

(e) Nothing in this section shall be construed to limit or supersede or in any manner affect or diminish the requirements of compliance by a staff member with the provisions of K.S.A. 2012 Supp. 38-2223 or 38-2226, and amendments thereto.;

And by renumbering sections accordingly;

On page 12, in line 10, after "72-8250," by inserting "72-8256,";

On page 1, in the title, in line 1, by striking "school finance" and inserting "the financing thereof; relating to the policies thereof; establishing celebrate freedom week and related curriculum"; in line 3, after "72-8250," by inserting "72-8256,";

And your committee on conference recommends the adoption of this report.

STEVE E. ABRAMS

TOM ARPKE

ANTHONY HENSLEY

Conferees on part of Senate

KASHA KELLEY

WARD CASSIDY

ED TRIMMER

Conferees on part of House

On motion of Rep. Kelley, the conference committee report on **HB 2261** was adopted.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Edwards, Henderson, Osterman, Peterson, Weber.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Friday, May 10, 2013.

Journal of the House

FIFTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 10, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 121 members present.

Rep. Osterman was excused on verified illness.

Rep. Shultz was excused on legislative business.

Reps. Rhoades and Siegfried were excused on excused absence by the Speaker.

Present later: Reps. Rhoades and Siegfried.

Prayer by Representative Frownfelter:

A GAME GUY'S PRAYER

“Dear God:

“Help me to be a sport in this little game of life. I don't ask for any place in the lineup; play me where you need me, I only ask for the stuff to give You a hundred per cent of what I've got. If all the hard drives come my way, I thank You for the compliment. Help me to remember that You won't let anything come that You and I together can't handle. And help me to take the bad breaks as part of the game. Help make me thankful for them.

“And God, help me always to play on the square, no matter what the other players do. Help me to come clean. Help me to see that often the best part of the game is helping the other guys. Help me to be a 'regular fellow' with the other players.

“Finally, God, if fate seems to uppercut me with both hands and I'm laid up on the shelf in sickness or old age, help me to take that as part of the game also. Help me not to whimper or squeal that the game was a frame-up, or that I had a raw deal. When in the dusk I get the final bell, I ask for no lying, complimentary stones. I'd only like to know that You feel I've been a good guy.”

(Adapted from a prayer by *Richard J. Cushing D.D.*)

The Pledge of Allegiance was led by Rep. Grant.

PERSONAL PRIVILEGE

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

Family, Friends & Colleagues,

As the old saying goes, “the clock on the wall says it is time to call it quits, sink into the sunset and call it a day.”

In my case it is time to call it the end of a career that I have really enjoyed for the last twenty-three years, less two for red-shirting in 1995-96. I have been privileged to attend and be part of a lot of events, meet a lot of great people and see things across the Great State of Kansas that, had I not been a State Representative, I might not have had the opportunity to do.

I would like to thank my wife Lynn, daughter Megan Fry and her husband, Kevin and children, Ross and Katie, for their love and support throughout this endeavor.

In addition, I want to thank the people of the second district for allowing me the distinct privilege and opportunity to represent them in Topeka. I have been fortunate to have served the people of Cherokee, Crawford, Bourbon, Neosho and Allen counties at different times in my career. It has been an honor to serve this district through all its geographical changes. Southeast Kansas is a great part of the state and I hope I have served it well.

I have met some great people along the way and if I tried to thank all of them, we would be here until the next session started. I don’t know about you but I don’t think I want to do that.

There are a few people I do need to make some comments about:

L.V. “Sam” Roper, the man I followed into the Legislature. I say “followed” because you could not replace Sam. He was my friend, my mentor and he gave me good, sound advice. He said “Always think things through and always tell the truth. People may not like it but when asked the same question two weeks down the road, you don’t have to try and remember what you said. It will be automatic.”

Herman Dillon, for those who knew him, was a person you could not forget. He was a close friend and colleague.

I have been so lucky to have three excellent secretaries, Vernita Mitchell, Jo Copeland and Judy Corpolongo. These long-suffering ladies kept me on the straight and narrow over the years and I could not have done my job without them.

The staff in the Capitol building from the custodians to the doormen do a remarkable job making this building a pleasant workplace. I thank them for all the behind the scenes work they do to keep this a house of and for the people of Kansas.

The Democratic staff members through the years have been an exceptional bunch and it has been a pleasure to work with Haley, Tyler and Allison in recent years. Phil Stevenson has been my rock for several years, helping me keep my seat. A thank you too, to John Polzar who helped me regain the position in 1996. The person I always consider to be the mainstay of the Democratic office is Jan King. She knows the process well and doesn’t have a problem telling someone where to go. Jan, you are the greatest.

I have worked with some remarkable Democratic leaders: Speaker Marvin Barkis, Tom Sawyer, Jim Garner, Dennis McKinney Paul Davis as well as Bill Reardon and R.J. Wilson. They have all been a huge source of support for me. I value their

friendship as I do so many past and present legislators on both sides of the aisle. Like I said, if I start naming them all we would be here far too long. My memory is not that good anyway and I might leave someone out.

I have served under 5 governors, Joan Finney, Bill Graves, Kathleen Sebelius, Mark Parkinson and Sam Brownback, and have had differences of opinion with all of them. I have served in good times and bad, in contentious years and productive sessions. My advice to all of you: Don't forget WHY you are here. NEVER, EVER forget who hired you. You have a great responsibility to the people you represent as well all the people of Kansas.

It's been a hell of a ride, but come January, it will be time for me to stay home. May God bless you all and may God bless the great state of Kansas.

PERSONAL PRIVILEGE

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

June 5, 1984, was a big day in the household of Dennis and Annette Hedke, as we observed the live, beautiful birth of our first child, Reasha Christine. A special name we made up just for this very special person; a softened version of the Hebrew word for 'Tenderness', Recha.

This child was read to while still in her mother's womb, and she took full advantage of the opportunity. She entered the gifted program at Beech Elementary in Wichita at age 5, went to private school at Wichita Collegiate for some years, was then home-schooled with her brother for 5 years, and entered Trinity Academy in Wichita for her freshman year in high school.

We moved to Katy, TX during the summer of 1999, and she entered a brand new public high school, Cinco Ranch, graduated near the top of her class in their first graduating class in the spring of 2002. She achieved multiple scholarships from Southern Methodist University in Dallas and entered undergraduate studies the fall of that year, graduating with a triple degree in Political Science, Public Policy and International Studies.

She went to work in the real world to save money, with the goal of attending Law School. She was accepted to night school at SMU, continuing to work nearly full time to support most of her expenses.

We were very happy when she graduated law school cum laude in December 2012. She then dove in, all-in, to study for the Texas Bar, taking that exam in February 2013. The news arrived last week that she passed that exam, and she is now officially ready to practice law.

We could not possibly be more proud of her successes and wanted to share that elation with some very special colleagues in this Chamber today.

Thank you very much for your indulgence, your attention and your patience.

God Bless each and every one of you.

INTRODUCTION OF GUESTS

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

I'd like to introduce Mark Holland, 4th generation Kansan, 3rd generation United Methodist Pastor, his wife Julie, and four children. He was elected two terms as an at-large Commissioner for the 2nd district Unified Government of Kansas City, Kansas.

Mark received his B.A. In Philosophy and Anthropology from Southern Methodist University in Dallas. He has been involved with some of the decision making that has proven successful with the new Cerner towers, Livestrong Stadium, and Hollywood Casino. He has championed health care initiatives for healthier outcomes, and has been known for his outstanding community involvement in all areas of Kansas City, Kansas.

It is my pleasure and very much an honor to introduce to this House membership—Mayor and CEO Mark Holland, two members of his staff, Lindsay Behgam and Maureen Mahoney.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2413.**

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2081, HB 2015.**

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2081** 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 5, by inserting:

"Section 1. K.S.A. 60-903 is hereby amended to read as follows: 60-903. ~~(a) No notice or bond required. A restraining order may issue without notice or bond, except as provided in subsection (b) of K.S.A. 60-904, and amendments thereto, but if it appears to the judge that a restraining order may result in damage to the party restrained, a bond to secure payment of any damages sustained may be required. An application for a restraining order shall also be considered as an application for a temporary injunction and either party may give notice of hearing thereon. The order shall remain in force until the hearing on the application for a temporary injunction.~~

(a) Temporary restraining order; issuing without notice. Except as provided in subsection (b) of K.S.A. 60-904, and amendments thereto, the court may issue a temporary restraining order without notice or bond to the adverse party or its attorney only if:

(1) Specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss or damage will result to the movant before the adverse party can be heard in opposition;

(2) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required; and

(3) notice of the issuance of a temporary restraining order is provided to the

attorney general of the state of Kansas if the adverse party is the state of Kansas or an agency, officer or employee thereof, or to the appropriate city clerk or county clerk if the adverse party is a city or county or an agency, officer or employee thereof.

(b) *Contents; expiration.* Every temporary restraining order issued without notice must state the date and hour it was issued, describe the injury and state why it is irreparable, state why the order was issued without notice and be promptly filed in the clerk's office and entered in the record. The order expires at the time after entry, not to exceed 14 days, that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension. The reasons for an extension must be entered in the record.

(c) *Expediting the temporary injunction hearing.* If the temporary restraining order is issued without notice, the motion for a temporary injunction must be set for hearing at the earliest possible time, taking precedence over all other matters except hearings on older matters of the same character. At the hearing, the party who obtained the order must proceed with the motion, and if the party does not, the court must dissolve the order.

(d) *Service.* Where a temporary restraining order is issued without notice, it shall be served upon each party restrained in the manner prescribed for personal service of a summons.

(e) *Motion to Dissolve.* On two days' notice to the party who obtained the temporary restraining order without notice, or on shorter notice set by the court, the adverse party may appear and move to dissolve or modify the order. The court must then hear and decide the motion as promptly as justice requires.

(f) *Security.* Unless otherwise provided by statute or this section, the court may issue a temporary restraining order only if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully restrained. The state of Kansas or an agency, officer or employee thereof, is not required to give security. For any city or county or an agency, officer or employee thereof, at the discretion of the judge, the security required by this subsection may be waived.

Sec. 2. K.S.A. 2012 Supp. 60-2001 is hereby amended to read as follows: 60-2001. (a) *Docket fee.* Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of \$156 on and after July 1, 2009 through June 30, 2013, and \$154 on and after July 1, 2013, to the clerk of the district court. Except as provided further, the docket fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after the effective date of this act through June 30, 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Poverty affidavit in lieu of docket fee.* (1) *Effect.* In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required. An inmate in the custody of the secretary of corrections may file a poverty affidavit only if the inmate attaches a statement disclosing the average account balance, or the total deposits, whichever is less, in the inmate's trust fund for each month in: (A) The six-month period preceding the filing of the action; or (B) the current

period of incarceration, whichever is shorter. Such statement shall be certified by the secretary. On receipt of the affidavit and attached statement, the court shall determine the initial fee to be assessed for filing the action and in no event shall the court require an inmate to pay less than \$3. The secretary of corrections is hereby authorized to disburse money from the inmate's account to pay the costs as determined by the court. If the inmate has a zero balance in such inmate's account, the secretary shall debit such account in the amount of \$3 per filing fee as established by the court until money is credited to the account to pay such docket fee. Any initial filing fees assessed pursuant to this subsection shall not prevent the court, pursuant to subsection (d), from taxing that individual for the remainder of the amount required under subsection (a) or this subsection.

(2) *Form of affidavit.* The affidavit provided for in this subsection shall be in the following form and attached to the petition:

State of Kansas, _____ County:

In the district court of the county: I do solemnly swear that the claim set forth in the petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee set forth a factual basis upon which the plaintiff alleges by reason of poverty an inability to pay a docket fee, including, but not limited to, the source and amount of the plaintiff's weekly income. Such affidavit shall be signed and sworn to by the plaintiff under oath, before one who has authority to administer the oath, under penalty of perjury, K.S.A. 2012 Supp. 21-5903, and amendments thereto. The form of the affidavit shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

(3) *Court review; grounds for dismissal; service of process.* The court shall review any petition authorized for filing under this subsection. Upon such review, if the court finds that the plaintiff's allegation of poverty is untrue, the court shall direct the plaintiff to pay the docket fee or dismiss the petition without prejudice. Notwithstanding K.S.A. 60-301, and amendments thereto, service of process shall not issue unless the court grants leave following its review.

(c) *Disposition of fees.* The docket fees and the fees for service of process shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. For every person to be served by the sheriff, the persons requesting service of process shall provide proper payment to the clerk and the clerk of the district court shall forward the service of process fee to the sheriff in accordance with K.S.A. 28-110, and amendments thereto. The service of process fee, if paid by check or money order, shall be made payable to the sheriff. Such service of process fee shall be submitted by the sheriff at least monthly to the county treasurer for deposit in the county treasury and credited to the county general fund. The docket fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process, fees for depositions, alternative dispute resolution fees, transcripts and publication, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any mileage for serving any papers or process.

Sec. 3. K.S.A. 2012 Supp. 60-2414 is hereby amended to read as follows: 60-2414. (a) *Right of redemption by defendant owner.* Except as stated in subsection (m) and as otherwise provided by law, the defendant owner may redeem any real property sold under execution, special execution or order of sale, at any time within 12 months from the day of sale, for the amount paid by the current holder of the certificate of purchase, including expenses incurred by the holder of the certificate of purchase in accordance with subsection (d), together with interest at the rate provided for in subsection (e)(1) of K.S.A. 16-204, and amendments thereto, costs and taxes to the date of redemption. The defendant owner in the meantime shall be entitled to the possession of the property. If the court finds after hearing, either before or after sale, upon not less than 21 days' notice to all parties, that the property has been abandoned, or is not occupied in good faith, the period of redemption for the defendant owner may be shortened or extinguished by the court. The right of redemption shall not apply to oil and gas leaseholds. Except for mortgages covering agricultural lands or for mortgages covering single or two-family dwellings owned by or held in trust for natural persons owning or holding such dwelling as their residence, the mortgagor may agree in the mortgage instrument to a shorter period of redemption than 12 months or may wholly waive the period of redemption.

(b) *Redemption by lien creditor.* Except as provided in subsection (m), for the first three months of the redemption period, if any, the right of the defendant owner or successors and assigns to redeem is exclusive. If no redemption is made by the defendant owner during the time in which the defendant owner has the exclusive right to redeem, any creditor referred to in subsection (c) may redeem the property during the balance of the redemption period remaining. If the defendant owner has waived the right of redemption, a creditor shall have a right to redeem the property for a period of three months from the date of the judicial sale. If the defendant owner has agreed to a period of redemption of three months or less, a creditor shall have a right to redeem for a period of three months from the date of expiration of the defendant owner's redemption period. If the court shortens or extinguishes the period of redemption because of abandonment or lack of good faith occupation as provided in subsection (a), the court shall specify in the order a time not to exceed three months during which a creditor may redeem. The first creditor redeeming must pay only the amount of the successful sale bid, the expenses incurred by the holder of the certificate in accordance with subsection (d), together with interest at the rate provided for in subsection (e)(1) of K.S.A. 16-204, and amendments thereto, costs and taxes to the date of redemption. After redemption by a creditor, no further redemption shall be allowed except by the defendant owner or such owner's successors and assigns. If a creditor redeems during the period of redemption for the defendant owner, the defendant owner shall have the balance of such period, but in no event less than 14 days from the filing of the affidavit required in subsection (f), to redeem from the creditor. When the defendant owner or such owner's successors and assigns redeem subsequent to redemption by a creditor, the defendant owner or such owner's successors and assigns shall pay an amount equal to the redemption amount paid by such creditor, plus the amount required by subsection (f), and expenses incurred by the creditor in accordance with subsection (d), together with interest at the rate provided for in subsection (e)(1) of K.S.A. 16-204, and amendments thereto, costs and taxes to the date of redemption.

(c) *Creditors who may redeem.* Any creditor whose claim is or becomes a lien prior

to the expiration of the time allowed by law for the redemption by creditors may redeem. A mortgagee may redeem upon the terms prescribed by this section before or after the debt secured by the mortgage falls due.

(d) *Terms of redemption; rights of parties.* During the period allowed for redemption, the holder of the certificate of purchase or the creditor who has redeemed may pay the taxes on the lands sold, insurance premiums on the improvements thereon, other sums necessary to prevent waste, and interest or sums due, upon any prior lien or encumbrance on the real property. Upon the redemption of the property, the holder of the certificate or the creditor who has redeemed shall be entitled to repayment of all sums thus paid, together with interest at the rate provided for in subsection (e)(1) of K.S.A. 16-204, and amendments thereto. All expenses incurred by the holder of the certificate or the creditor who has redeemed shall be as shown by receipts or vouchers filed in the office of the clerk of the district court.

(e) *Effect of failure of debtor to redeem; deficiency.* If the defendant owner or such owner's successors or assigns fail to redeem as provided in this section, the holder of the certificate of purchase or the creditor who has redeemed prior to the expiration of the redemption period will hold the property absolutely. If it is held by a redeeming creditor, the lien and the claim out of which it arose will be held to be extinguished, unless the redeeming creditor is unwilling to hold the property and credit the defendant owner with the full amount of the redeeming creditor's lien and, at the time of redemption, files with the clerk of the district court a statement of the amount that the redeeming creditor is willing to credit on the claim. If the redeeming creditor files such a statement and the defendant owner or such owner's successors and assigns fail to redeem, the creditor's claim shall be extinguished by the amount in the statement. The sheriff, at the end of the redemption period, shall execute a deed to the current owner of the certificate of purchase or the creditor who has redeemed prior to the expiration of the redemption period.

(f) *Mode of redemption.* The party redeeming shall pay the money into the office of the clerk of the district court for the use of the persons entitled to it. The clerk shall give a receipt for the money, stating the purpose for which it is paid. The clerk shall also enter the transaction on the appearance docket of the case, showing the amount paid. A redeeming creditor, or agent of the creditor, shall also file an affidavit stating as nearly as practicable the amount still unpaid due on the claim of that creditor and any lesser amount the creditor is willing to credit on the claim in accordance with subsection (e). The creditor's claim, or such lesser amount as the creditor is willing to credit on the claim in accordance with subsection (e), shall be added to the redemption amount to be paid by the defendant owner or such owner's successors and assigns.

(g) *Redemption of property sold in parcels, or undivided portions.* Whenever the property has been sold in parcels, any distinct portion of that property may be redeemed by itself. If a creditor has redeemed, the amount of the creditor's claim or such lesser amount as the creditor is willing to credit on the claim as stated in the affidavit under subsection (f) shall be added to each parcel sold pro rata in proportion to the amount for which it was originally sold. When the interests of several tenants in common have been sold on execution the undivided portion of any or either of them may be redeemed separately.

(h) *Transfer of right of redemption.* The rights of the defendant owner in relation to redemption may be assigned or transferred, and the assignee or transferee shall have the

same right of redemption as the defendant owner. The assigned or transferred right of redemption shall not be subject to levy or sale on execution.

(i) *Holder of legal title.* The holder of the legal title at the time of issuance of execution or order of sale shall have the same right of redemption upon the same terms and conditions as the defendant in execution and shall be entitled to the possession of the property the same as the defendant in execution.

(j) *Injury or waste after sale.* After the sheriff makes the deed to the purchaser or party entitled to a deed under sale as provided in this section, the purchaser or party may assert a claim for damages against any person committing or permitting any injury or waste upon the property purchased after the sale and before possession is delivered under the conveyance.

(k) *Second sale not permitted.* Real estate once sold upon order of sale, special execution or general execution shall not again be liable for sale for any balance due upon the judgment or decree under which it is sold, or any judgment or lien inferior thereto, including unadjudicated junior liens filed after the petition is filed in the district court to foreclose the senior lien against the real estate.

(l) *Injunction or receiver to protect property.* The holder of the certificate of purchase shall be entitled to prevent any waste or destruction of the premises purchased. For that purpose the court, on proper showing, may issue an injunction or, when required to protect the premises against waste, appoint a receiver who shall hold the premises until the purchaser is entitled to a deed. The receiver may rent, control and manage the premises but the income during that time, except the fees and expenses of the receiver and the amount that is necessary to keep up repairs, prevent waste and pay real estate taxes and insurance premiums, shall go to the person who otherwise would be entitled to possession during the period of redemption.

(m) *Owners reduced redemption period.* In the event a default occurs in the conditions of the mortgage or instrument of the most senior lien foreclosed before $\frac{1}{3}$ of the original indebtedness secured by the mortgage or lien has been paid, the court shall order a redemption period of three months. If, after proper showing, the court finds that the total outstanding amount of all mortgages or liens is less than $\frac{1}{3}$ of the market value of the property, the court shall order a redemption period of 12 months. If the court finds after a hearing with not less than 21 days' notice to all parties, that the defendant owner has involuntarily lost such owner's primary source of income after the date of the foreclosure sale and prior to expiration of a three-month period of redemption, the court may extend the three-month period of redemption an additional three months. If the court orders a redemption period of six months or less, the right of the defendant owner or successors and assigns to redeem is exclusive for the first two months of the redemption period. This subsection shall not apply in the event redemption rights have been shortened, waived or terminated pursuant to subsection (a).";

On page 3, following line 30, by inserting:

"New Sec. 6. (a) The conduct prohibited by K.S.A. 2012 Supp. 21-6107, and amendments thereto, constitutes an unconscionable act or practice in violation of K.S.A. 50-627, and amendments thereto, and any person who engages in such conduct shall be subject to the remedies and penalties provided by the Kansas consumer protection act.

(b) For the purposes of the remedies and penalties provided by the Kansas consumer protection act:

(1) The person committing the conduct prohibited by K.S.A. 2012 Supp. 21-6107,

and amendments thereto, shall be deemed the supplier, and the person who is the victim of such conduct shall be deemed the consumer; and

(2) proof of a consumer transaction shall not be required.

(c) This section shall be part of and supplemental to the Kansas consumer protection act and shall be known and may be cited as the Wayne Owen law.";

And by renumbering sections accordingly;

On page 3, in line 31, after "K.S.A." by inserting "60-903 and K.S.A."; also in line 31, after "Supp." by inserting "60-2001, 60-2414,";

On page 1, in the title, in line 1, after "procedure" by inserting "and civil actions"; also in line 1, by striking "the forfeiture of"; in line 2, by striking "instrumentalities of a crime" and inserting "temporary restraining orders; docket fees and costs; poverty affidavits; redemption of real property; asset seizure and forfeiture; unconscionable act or practice under the Kansas consumer protection act"; also in line 2, after "K.S.A." by inserting "60-903 and K.S.A."; also in line 2, after "Supp." by inserting "60-2001, 60-2414,";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2081** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Osterman, Rhoades, Shultz, Siegfried.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. Kinzer, Bruchman and Pauls as members of the conference committee on **HB 2162** to replace Reps. Schwab, Huebert and Sawyer.

REPORT OF STANDING COMMITTEES

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

Request No. 95, by Representative Henderson, congratulating George Melvin Richardson on celebrating his 100th birthday;

Request No. 96, by Representative Hibbard, congratulating Ida Webb on celebrating her 103rd birthday;

Request No. 97, by Representative Mast, congratulating Elijah Smith for making history in the collegiate debate world by winning the National Debate Tournament and the Cross Examination Debate Association National Tournament;

Request No. 98, by Representative Mast, congratulating Ryan Wash for making history in the collegiate debate world by winning the National Debate Tournament and the Cross Examination Debate Association National Tournament;

Request No. 99, by Representative Ewy, congratulating John Fritzier on twenty years of dedicated service to the State of Kansas;

Request No. 100, by Representative Davis, congratulating Bill and Pat Moore on their retirement from the Teamsters Local Union #696;

Request No. 101, by Representative Kelly, congratulating Guy Ray Rutland on being inducted into the American Quarter Horse Hall of Fame;

Request No. 102, by Representative Meier, congratulating Harry Mohan on celebrating his 90th birthday;

Request No. 103, by Representative Dove, congratulating Zachary Hevel of Basehor Linwood High School on acceptance into the Air Force Academy Class of 2017;

Request No. 104, by Representative Schwartz, congratulating Marysville Kiwanis Club on 75 years of service to the Marysville Community;

Request No. 105, by Representative Meier, congratulating C.W. Parker Carousel "Carry-Us-All #118" on celebrating the 100th birthday in Leavenworth;

Request No. 106, by Representative Davis, congratulating the Brotherhood of Locomotive Engineers and Trainmen in recognition for 150 years of distinguished service to the United States and the state of Kansas;

Request No. 107, by Representative Boldra, congratulating Joseph Heimann on achieving the rank of Eagle Scout;

Request No. 108, by Representative Mast, congratulating Toad Hollow Daylily Farm in recognition for seventeen years of sharing beauty, hard work and hospitality;

Request No. 109, by Representative Henderson, congratulating the First Baptist Church of Quindaro 2013 graduates;

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. Vickrey, the committee report was adopted

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

PERSONAL PRIVILEGE

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

Thank you Mr. Speaker for allowing me to have this point of personal privilege. This is personal and a huge privilege. I want to take this time to make this official in front of many friends and colleagues.

My girlfriend, Rhonda Riggs, is here. She is a life long Wichitan and we were classmates K-12 in the Goddard School District.

Rhonda, you are my best friend and this day is important to us both. Would you please come up here to the well.

Rhonda Riggs, will you marry me? That is a yes.

MESSAGE FROM THE SENATE

The Senate not adopts the Conference Committee report on **S Sub for HB 2199**, requests a conference and appoints Senators Ostmeyer, Emler and Faust-Goudeau as third conferees on the part of the Senate.

The Senate announces the appointment of Senators King, Smith and Haley as members of the conference committee on **HB 2162** to replace Senators Pyle, Holmes and Faust-Goudeau.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **S Sub for HB 2199**.

Speaker Merrick thereupon appointed Reps. Siegfried, Brunk and Ruiz as third conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2015** 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 10, by inserting:

"New Sec. 3. (a) On and after July 1, 2015, notwithstanding any other law to the contrary, for any order of support required to be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2012 Supp. 39-7,135, and amendments thereto, regardless of when such order was entered or modified, amounts collected by such central unit shall be distributed in accordance with rules and regulations adopted by the secretary of the department for children and

families. Such rules and regulations shall be based on child support distribution requirements as set forth in part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, and federal regulations promulgated pursuant thereto.

(b) Prior to July 1, 2015, the secretary of the department for children and families shall adopt rules and regulations to implement the provisions of this section. Such rules and regulations shall not become effective until July 1, 2015.

New Sec. 4. (a) Except as otherwise provided in this section, an income withholding order for attachment of a lump sum payment shall have the effect of attaching: (1) Any intangible property, funds, credits or other indebtedness of a non-recurring nature belonging or owing to the obligor which is due from the payor or in the possession or under the control of the payor at the time of service of the order; and (2) all such personal property becoming due to the obligor between the time the order is served on the payor and the 35th day after the date the order is served.

(b) The payor shall hold the attached funds, credits or indebtedness at least 14 days following the date the income withholding order for attachment of a lump sum payment was served. Thereafter, except as otherwise provided in this section, the payor shall remit the amount attached no later than the date the lump sum payment would have been paid to the obligor or 21 days after the date the order was served, whichever is later.

(c) The payor shall hold the attached funds, credits or indebtedness until further order of the court if, before remitting funds pursuant to subsection (b), the payor receives notice of a hearing on the obligor's claim of exemption concerning the income withholding order for attachment of a lump sum payment.

(d) This section shall be part of and supplemental to the income withholding act, K.S.A. 2012 Supp. 23-3101 et seq., and amendments thereto.

New Sec. 5. (a) Immediately following the date the income withholding order for attachment of a lump sum payment is served on the payor, the person or public office seeking the withholding shall send a notice to the obligor, notifying the obligor: (1) That an income withholding order to attach a lump sum payment has been served on the payor and the effect of such order; (2) of the obligor's right to assert any claim of exemption allowed under the income withholding act; and (3) of the obligor's right to a hearing on such claim. The notice shall be substantially in compliance with the form developed pursuant to K.S.A. 2012 Supp. 23-3113, and amendments thereto, and shall contain a description of the exemptions that are applicable under the income withholding act and the procedure by which the obligor can assert any claim of exemption.

(b) If the obligor requests a hearing to assert any claim of exemption, the request shall be filed no later than 10 days following the date the notice is served on the obligor. If a hearing is requested, the hearing shall be held by the court no sooner than five days nor later than 10 days after the request is filed. At the time the request for hearing is filed, the obligor shall obtain from the clerk of the court the date and time for the hearing which shall be noted on the request form. Immediately after the request for hearing is filed, the obligor shall hand-deliver or mail, by first-class mail, a copy of the request for hearing to the payor and to the person or public office seeking the withholding or such person's attorney, if the person is represented by an attorney.

(c) If a hearing is held, the obligor shall have the burden of proof to show that some or all of the property subject to the withholding is exempt, and the court shall enter an

order determining the exemption and such other order as is appropriate.

(d) This section shall be part of and supplemental to the income withholding act, K.S.A. 2012 Supp. 23-3101 et seq., and amendments thereto.

New Sec. 6. (a) (1) The secretary of the department for children and families may collect, pursuant to the income withholding act, K.S.A. 2012 Supp. 23-3101 et seq., and amendments thereto, support owed in a title IV-D case from unemployment insurance benefits payable to the obligor. Such collections may be remitted directly to the secretary. The secretary, and any other agency affected, shall use electronic processes to the greatest extent feasible.

(2) All provisions of the income withholding act shall apply to the withholding of support from unemployment insurance benefits from the state employment security agency, which shall be considered a payor for the purposes of the income withholding act, except that any cost recovery fee as a result of such withholding shall be paid by the department for children and families and shall not be paid by the obligor.

(b) If the secretary of the department for children and families receives an income withholding collection directly from another state agency for a debtor with more than one income withholding order and the payor agency does not identify the amount to be applied to each withholding order, the secretary may apply the collection in any manner allowed under title IV-D, provided that all current support due for the month under the withholding orders is satisfied first.

(c) This section shall be part of and supplemental to the income withholding act, K.S.A. 2012 Supp. 23-3101 et seq., and amendments thereto.

Sec. 7. K.S.A. 2012 Supp. 23-3102 is hereby amended to read as follows: 23-3102. As used in the income withholding act:

(a) "Arrearage" means the total amount of unpaid support which is due and unpaid under an order for support, based upon the due date specified in the order for support or, if no specific date is stated in the order, the last day of the month in which the payment is to be made. If the order for support includes a judgment for reimbursement, an arrearage equal to or greater than the amount of support payable for one month exists on the date the order for support is entered.

(b) "Business day" means a day on which state offices in Kansas are open for regular business.

(c) "Health benefit plan" means any benefit plan, other than public assistance, which is able to provide hospital, surgical, medical, dental or any other health care or benefits for a child, whether through insurance or otherwise, and which is available through a parent's employment or other group plan.

(d) "Income" means any form of ~~periodic~~ payment to an individual, regardless of source, including, but not limited to, wages, salary, trust, royalty, commission, bonus, compensation as an independent contractor, annuity and retirement benefits, workers compensation and any other periodic payments made by any person, private entity or federal, state or local government or any agency or instrumentality thereof. "Income" does not include: (1) Any amounts required by law to be withheld, other than creditor claims, including but not limited to federal and state taxes, social security tax and other retirement and disability contributions; (2) any amounts exempted by federal law; (3) public assistance payments; and (4) unemployment insurance benefits except to the extent otherwise provided by law. Any other state or local laws which limit or exempt income or the amount or percentage of income that can be withheld shall not apply.

Workers compensation shall be considered income only for the purposes of child support and not for the purposes of maintenance. Unemployment insurance benefits shall be considered income for purposes of this act when such funds are sought by the secretary of the department for children and families, or the secretary's designee, in administration of the title IV-D program.

~~(e)~~ (e) "Income withholding agency" means the department for children and families.

~~(e)~~ (f) "Income withholding order" means an order issued under this act which requires a payor to withhold income to satisfy an order for support or to defray an arrearage.

(g) "Lump sum payment" means income in the form of a bonus, commission, an amount paid in lieu of vacation or other leave time, or any other payment to an obligor. "Lump sum payment" does not include payments made on regular paydays as compensation, reimbursement of expenses incurred by the obligor on behalf of the payor, or an amount paid as severance pay on termination of employment.

~~(h)~~ (h) "Medical child support order" means an order requiring a parent to provide coverage for a child under a health benefit plan and, where the context requires, may include an order requiring a payor to enroll a child in a health benefit plan.

~~(g)~~ (i) "Medical withholding order" means an income withholding order which requires an employer, sponsor or other administrator of a health benefit plan to enroll a child under the health coverage of a parent.

~~(h)~~ (j) "Nonparticipating parent" means, if one parent is a participating parent as defined in this section, the other parent.

~~(i)~~ (k) "Obligee" means the person or entity to whom a duty of support is owed.

~~(j)~~ (l) "Obligor" means any person who owes a duty to make payments or provide health benefit coverage under an order for support.

~~(k)~~ (m) "Order for support" means any order of a court, or of an administrative agency authorized by law to issue such an order, which provides for payment of funds for the support of a child, or for maintenance of a spouse or ex-spouse, and includes an order which provides for modification or resumption of a previously existing order; payment of uninsured medical expenses; payment of an arrearage accrued under a previously existing order; a reimbursement order, including, but not limited to, an order established pursuant to K.S.A. 39-718a or 39-718b, and amendments thereto; an order established pursuant to K.S.A. 23-451 et seq., and amendments thereto; or a medical child support order.

~~(l)~~ (n) "Participating parent" means a parent who is eligible for single coverage under a health benefit plan as defined in this section, regardless of the type of coverage actually in effect, if any.

~~(m)~~ (o) "Payor" means any person or entity owing income to an obligor or any self-employed obligor and includes, with respect to a medical child support order, the sponsor or administrator of a health benefit plan.

(p) "Periodic payment" means wages, salary, royalties, trust payments, annuity payments, retirement payments and any other regularly occurring, scheduled payment to an obligor.

~~(n)~~ (q) "Public office" means any elected or appointed official of the state or any political subdivision or agency of the state, or any subcontractor thereof, who is or may become responsible by law for enforcement of, or who is or may become authorized to enforce, an order for support, including but not limited to the department of social and

rehabilitation services, court trustees, county or district attorneys and other subcontractors.

~~(e)~~ (r) "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 December 31, ~~1999~~ 2009. "Title IV-D cases" means those cases required by title IV-D to be processed by the department of social and rehabilitation services for children and families under the state's plan for providing title IV-D services.

Sec. 8. K.S.A. 2012 Supp. 23-3103 is hereby amended to read as 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)~~ (m), all new or modified orders for support shall provide for immediate issuance of an income withholding order. 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. 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.~~

(1) If the income withholding order is to attach to periodic payments, an amount sufficient to satisfy the order for support and to defray any arrearage; or

(2) if the income withholding order is to attach a lump sum payment, the amount the payor is required to withhold for support from the lump sum payment.

(c) Except as otherwise provided in this subsection or subsections (j) or ~~(l)~~ (m), 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 only an~~ income withholding order prepared in a standard format prescribed by the secretary of ~~social and rehabilitation services the department for children and families, or the standard federal notices and forms promulgated under 42 U.S.C. § 652 (a)(11) and 42 U.S.C. § 666 (b)(A)(ii).~~ 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. 2012 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. 2012 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. 2012 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 by first-class mail.~~

(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 by first-class mail~~ or by any alternate method acceptable to the payor, including, but not limited to: Facsimile transmission, electronic mail attachment or electronic interface allowing for the download of a document or transmission of the terms of the income withholding order. 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 a copy of any document or notice, regardless of copy 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 ~~that~~

complies with the requirements of subsection (e)(1).

(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)~~ (m), 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, first-class mail 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. 2012 Supp. 23-3106, and amendments thereto, apply to any motion pursuant to paragraph (3) or (4) of this subsection.

(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 remittances from any income withholding order, regardless of when such order was entered or modified, shall be required to be directed to the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2012 Supp. 39-7,135, and amendments thereto.

~~(m)~~ (m) 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. 9. K.S.A. 2012 Supp. 23-3104 is hereby amended to read as follows: 23-3104.

(a) It shall be the affirmative duty of any payor to respond within 10 days to written or electronic requests for information presented by the public office concerning: (1) The full name of the obligor; (2) the current address of the obligor; (3) the obligor's social security number; (4) the obligor's work location; (5) the number of the obligor's claimed dependents; (6) the obligor's gross income; (7) the obligor's net income; (8) an itemized statement of deductions from the obligor's income; (9) the obligor's pay schedule; (10) the obligor's health insurance coverage; and (11) whether or not income owed the obligor is being withheld pursuant to this act. This is an exclusive list of the information that the payor is required to provide under this section.

(b) It shall be the duty of any payor who has been served a copy of an income withholding order for payment of an order for cash support that meets the requirements of subsection ~~(h)~~ (i) to deduct and pay over income as provided in this section. The payor shall begin the required deductions no later than the next payment of income due the obligor after 14 days following service of the order on the payor.

(c) Within seven business days of the time the obligor is normally paid, the payor shall pay the amount withheld as directed by the income withholding agency pursuant to K.S.A. 2012 Supp. 23-3105, and amendments thereto, as directed by the income withholding order or by a rule of the Kansas supreme court. The payor shall identify each payment with the name of the obligor, the county and case number of the income withholding order, and the date the income was withheld from the obligor. The payor shall pay the amounts withheld and identify each payment in the same business day. A payor subject to more than one income withholding order payable to the same payee may combine the amounts withheld into a single payment, but only if the amount attributable to each income withholding order is clearly identified. Premiums required for a child's coverage under a health benefit plan shall be remitted as provided in the health benefit plan and shall not be combined with any other support payment required by the income withholding order.

(d) The payor shall continue to withhold income as required by the income withholding order until further order of the court or agency.

(e) From income due the obligor, the payor may withhold and retain to defray the payor's costs a cost recovery fee of \$5 for each pay period for which ~~income support~~ is withheld ~~from a periodic payment~~ or \$10 for each month for which ~~income support~~ is withheld ~~from a periodic payment~~, whichever is less. For income withholding from a lump sum payment, a cost recovery fee of up to \$10 per withholding may be withheld by the payor and shall be in addition to any cost recovery fee charged for withholding from periodic payments. Any such cost recovery fee shall be in addition to the amount withheld as support.

(f) The entire sum withheld by the payor, including the cost recovery fee and premiums due from the obligor which are incurred solely because of a medical withholding order, shall not exceed ~~the limits provided for under section 303(b)~~ 50% of the obligor's disposable income as defined by section 302(b) of the consumer credit protection act ~~(15 U.S.C. § 1673(b))~~ 1672(b). If amounts of earnings required to be withheld exceed the maximum amount of earnings which may be withheld ~~according to~~

~~the consumer credit protection act under this section~~, priority shall be given to payment of current and past due support, and the payor shall promptly notify the holder of the limited power of attorney of any nonpayment of premium for a health benefit plan on the child's behalf. An income withholding order issued pursuant to this act shall not be considered a wage garnishment as defined in subsection (b) of K.S.A. 60-2310, and amendments thereto. If amounts of earnings required to be withheld in accordance with this act are less than the maximum amount of earnings which could be withheld according to section 303(b) of the consumer credit protection act, 15 U.S.C. § 1673(b), the payor shall honor garnishments filed by other creditors to the extent that the total amount taken from earnings does not exceed consumer credit protection act limitations.

(g) A payor who has been served an income withholding order by the IV-D agency which includes an amount to defray an arrearage shall contact the IV-D agency no less than 14 days prior to making payment of any lump sum amount to the obligor. The payor may make payment of the lump sum to the obligor once 14 days have passed after providing such contact unless additional process, or notice of intended process, has been received.

~~(g)~~ (h) The payor shall promptly notify the court or agency that issued the income withholding order of the termination of the obligor's employment or other source of income, or the layoff of the obligor from employment, and provide the obligor's last known address and the name and address of the individual's current employer, if known.

~~(h)~~ (i) A payor who complies with a copy of an income withholding order that is regular on its face shall not be subject to civil liability to any person or agency for conduct in compliance with the income withholding order. As used in this section, "regular on its face" means a completed document ~~in the standard format for any income withholding notice that has been adopted by the United States secretary of health and human services in a final rule or a certified copy of the income withholding order that is in compliance with subsection (e)(1) of K.S.A. 2012 Supp. 23-3103, and amendments thereto.~~

~~(i)~~ (j) Except as provided further, if any payor violates the provisions of this act, the court may enter a judgment against the payor for the total amount which should have been withheld and paid over. If the payor, without just cause or excuse, fails to pay over income within the time established in subsection (c) and the obligee files a motion to have such income paid over, the court shall enter a judgment against the payor and in favor of the obligee for three times the amount of the income owed and reasonable attorney fees. If the payor, without good cause, fails to pay over the income and identify each payment in the same business day, the court shall enter a judgment against the payor and in favor of the obligee for twice the amount of the cost recovery fee, as established in subsection (e), per obligor.

~~(j)~~ (k) In addition to any judgment authorized by subsection (i), a payor shall be subject to a civil penalty not exceeding \$500 and other equitable relief as the court considers proper if the payor: (1) Discharges, refuses to employ or takes disciplinary action against an obligor subject to an income withholding order because of such withholding and the obligations or additional obligations which it imposes upon the payor; or (2) fails to withhold support from income or to pay such amounts in the manner required by this act.

(l) The provisions of this section as amended by this act shall apply to all income withheld on or after July 1, 2013, regardless of when the applicable income withholding

order was entered or modified.

Sec. 10. K.S.A. 2012 Supp. 23-3105 is hereby amended to read as follows: 23-3105. (a) An income withholding order shall have priority over any other legal process under state law against the same income. Withholding of income under this section shall be made without regard to any prior or subsequent garnishments, attachments, wage assignments or other claims of creditors.

(b) Except as provided by K.S.A. 60-2310, and amendments thereto, any state law which limits or exempts income from legal process or the amount or percentage of income that can be withheld shall not apply to withholding income under this act.

(c) Subject to the provisions of K.S.A. 2012 Supp. 23-36,503, and amendments thereto, if more than one income withholding order requires withholding from the same source of income of a single obligor, the payor shall withhold and disburse as ordered the total amount required by all income withholding orders if such amount does not exceed the limits of subsection (f) of K.S.A. 2012 Supp. 23-3104, and amendments thereto, ~~as shown in the withholding order which specifies the highest percentage of income allowed to be withheld.~~ If the total amount required by all income withholding orders, including premiums due from the obligor which are incurred solely because of a medical withholding order, exceeds such limits, the payor shall withhold the amount permitted to be withheld under such limits and from the amount withheld the payor shall retain any cost recovery fee charged by the payor. The remaining funds shall first be prorated by the payor among all income withholding orders for the obligor that require payment of current support. When all current support for the month has been satisfied, any remaining funds shall be prorated among all income withholding orders for the obligor that require payment of an amount for arrearages. With respect to a medical withholding order, the payor shall promptly notify the affected holder of the limited power of attorney of any nonpayment of premium. The payor may request assistance from the income withholding agency in determining the amount to be disbursed for each income withholding order, but such assistance shall not relieve the payor from any responsibility under this act. Upon request of a public office or of any obligee whose income withholding order is affected by this subsection, the payor shall provide the county, case number and terms of all the obligor's income withholding orders.

(d) The provisions of this section as amended by this act shall apply to all income withheld on or after July 1, ~~1992~~ 2012, regardless of when the applicable income withholding order was entered or modified.

Sec. 11. K.S.A. 2012 Supp. 39-7,147 is hereby amended to read as follows: 39-7,147. (a) Except as otherwise provided in K.S.A. 39-7,149 or K.S.A. 2012 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. 2012 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. 2012 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, first-class mail 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. 12. K.S.A. 39-7,148 is hereby amended to read as follows: 39-7,148. (a) At any time after issuing an income withholding order, the secretary shall: (1) Modify or terminate the income withholding order because of a modification or termination of the underlying support order; (2) modify the amount of income withheld to reflect payment in full of the arrearages; (3) modify or terminate the income withholding order to reflect the final order in a fair hearing pursuant to K.S.A. 75-3306, and amendments thereto; or (4) modify, or when appropriate terminate, an income withholding order consisting in whole or in part of a medical withholding order because of a modification or termination of the underlying medical child support order.

(b) In addition to modifications required by subsection (a), at any time the secretary may issue a modified income withholding order: (1) To change the amount to be withheld to defray arrearages; or (2) to conform the terms of a medical withholding order to the requirements of a payer. The provisions of this subsection shall apply only to income withholding orders issued pursuant to K.S.A. 39-7,147, and amendments thereto, including any modifications of such orders.

(c) The secretary shall provide notice of any proposed modification to the responsible parent by ~~only~~ personal service, first-class mail or registered mail, return receipt requested, at least 14 days before entry of the modified income withholding order. The responsible parent may request: (1) An administrative hearing pursuant to K.S.A. 75-3306, and amendments thereto, for review of the proposed modification by

complying with procedures established by the secretary within ten days after service of the notice; or (2) a de novo court review pursuant to K.S.A. 39-7,139, and amendments thereto. If the notice is served by mail, the time for requesting review shall be extended by three days. If the proposed modification increases the total amount to be withheld from the responsible parent's income, entry of the modified income withholding order shall be stayed pending resolution of the review. In all other instances, entry of the proposed modification shall be stayed only for cause. The issues in the administrative hearing shall be limited to whether the amount of current support is as stated in the proposed modification and whether the total arrearages are less than the proposed installment to defray arrearages.

(d) The responsible parent may request that the secretary terminate an income withholding order for cash support if: (1) Withholding has not previously been terminated and reinitiated; and (2) there is a written agreement among the parties that provides for an alternative arrangement. If an income withholding order is terminated and the obligor subsequently accrues any arrearages, the secretary may issue another income withholding order as provided in K.S.A. 39-7,147, and amendments thereto.

(e) If the income withholding order includes both a medical withholding order and an income withholding order for cash support, modification or termination of one portion of the income withholding order shall not modify or terminate any other portion of the income withholding order except as expressly provided in the order.

(f) The provisions of K.S.A. 39-7,147, and amendments thereto, relating to transmitting income withholding orders to the tribunal that issued the underlying support order, shall apply to any order issued modifying or terminating income withholding that is issued pursuant to this section.";

And by redesignating sections accordingly;

On page 2, in line 11, after "K.S.A." by inserting "39-7,148 and K.S.A."; also in line 11, by striking the first "and" and inserting a comma; also in line 11, after "23-2704" by inserting ", 23-3102, 23-3103, 23-3104, 23-3105 and 39-7,147";

On page 1, in the title, in line 2, after "process;" by inserting "enforcement of support orders;"; also in line 2, after "K.S.A." by inserting "39-7,148 and K.S.A."; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "23-2704" by inserting ", 23-3102, 23-3103, 23-3104, 23-3105 and 39-7,147";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2015** was adopted.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Kahrs, Kuether, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Montgomery, Osterman, Peterson, Shultz.

EXPLANATION OF VOTE

MR. SPEAKER: This legislation impedes creditors' right to collect legal debt and burdens creditors to prove that the conveyance of a gift is fraudulent. Public policy has long held this exception to protect creditors from fraudulent conveyances. It undermines the marriage covenant. Marriage is a special relationship like none other. Typical marriage vows include the words, "for better, for worse, for richer, for poorer." In other words, marriage partners share everything including: riches/financial burdens; successes/failures; good times/bad times. By removing this exception in the law it creates an undue burden on creditors and undermines and weakens the institution of marriage. I vote no on CCR for **HB 2015**. – MARK KAHRs

REPORT ON ENGROSSED BILLS

HB 2218 reported correctly engrossed May 10, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Monday, May 13, 2013.

Journal of the House

FIFTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 13, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Christman, Peterson and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Father God,
Thank You for this opportunity to once again
gather together, and before making important decisions,
ask You to grant us Your wisdom, guidance and will.
For several weeks we have been praying and asking
many things from you... wisdom, direction, compassion,
patience, longsuffering, and a spirit of cooperation.
Today we want to thank you for all you have
helped us to accomplish.
Some may feel exuberant for accomplishments made.
Some may feel discouragement for not being able
to achieve that which they desired.
The important thing for all of us is to know
that we did our best, worked our hardest,
kept our integrity, and respected one another.
If we haven't done this, please forgive us Lord.
Help us to remember that we are still making decisions
that affect thousands of lives,
and to rush these decisions in light
of our personal schedules and interest
would prove us to be irresponsible leaders.
So grant us patience, wisdom and direction
in order to keep the respect and confidence of the people
who have placed us in leadership.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Davis.

INTRODUCTION OF GUESTS

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

I am joined today by Liberal High School Principal Keith Adams, and Deputy Superintendent of USD 480 Paul Larkin.

There are 369 high schools in the state of Kansas. Liberal High School which was where I graduated from in 2004 was recently ranked the 7th best high school in the state of Kansas by the U.S. News & World Report. Liberal was also ranked better than any other high school in western Kansas.

U.S. News and World Report also reviewed a total of 21,035 U.S. public high schools overall and 31 Kansas schools received a Gold, Silver, or Bronze medal. Liberal received a silver and made the top 10% nationwide.

The criteria for the rankings included student to teacher ratio, college readiness, along with math and reading proficiency.

Liberal High School Principal Keith Adams and his staff, along with the students of LHS have all done a great job of turning itself into an award winning school. When Mr. Adams took over as Principal test scores were low and Liberal wasn't near any sort of positive ranking. The high school has also had the challenge of having a 78% total minority enrollment. However, Mr. Adams and his staff didn't use that as an excuse for not succeeding. Instead they rolled their sleeves up and went to work and their hard work has paid off as they have quickly turned the high school around. The one thing I'll guarantee you though is they aren't content. They will keep working to make LHS even better.

Principal Keith Adams is here today along with Deputy Superintendent Paul Larkin on behalf of Liberal High School and USD 480. I would like to commend them and all of the students, staff, and administrators of USD 480 who made it possible for LHS to become an award winning school. I have a certificate here I would like to present you both to take back to Liberal High School. Keep up the good work and remember it is always a great day to be a Redskin!

Rep. Petty presented framed House certificates to Mr. Adams and Mr. Larkin.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Goico, **HR 6031**, by Reps. Weigel, Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey,

Victors, Ward, Waymaster, Weber, Whipple, Wilson, Winn and Wolfe Moore, was introduced and adopted.

HOUSE RESOLUTION No. **HR 6031**—

A RESOLUTION celebrating the 10th anniversary of Kansas' bilateral relationship with the Republic of Armenia.

WHEREAS, This year the State of Kansas and the Republic of Armenia are celebrating the 10th anniversary of the bilateral relationship established in 2003; and

WHEREAS, The National Guard State Partnership Program links U.S. states with partner countries for the purpose of supporting the security cooperation objectives of the United States; and

WHEREAS, The program's goals reflect an evolving international affairs mission for the National Guard using the unique civil-military nature to interact with both active and reserve forces of foreign countries; and

WHEREAS, Over 125 engagements have occurred and 350 military members have traveled between Kansas and Armenia since the partnership began; and

WHEREAS, Kansas and Armenia have expanded beyond a military relationship to include relationships and engagements between Kansas agencies and law enforcement entities and their counterparts within the Armenian government; and

WHEREAS, This partnership takes advantage of the unique attributes of America's citizen-soldiers to promote political, economic and social development: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we celebrate the 10th anniversary of Kansas' bilateral relationship with the Republic of Armenia. This has been a great partnership for the State of Kansas, and we are excited for its future success; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide an enrolled copy of this resolution to The Office of the Adjutant General, the U.S. Ambassador to Armenia, Representative Weigel and Representative Meier.

There being no objection, the following remarks of Reps. Meier, Carlin, Weigel and Goico are spread upon the Journal:

Remarks by Rep. Meier:

The National Guard State Partnership Program was established shortly after the fall of the Soviet Union, to build bilateral relationships with the new nations that had been former states of the Soviet Union. Since that time it has evolved to include countries around the world and every State's National Guard throughout the United States. The program's goal is to form bilateral cooperation and support of the United States' and each country's mutual national security objectives.

Remarks by Rep. Carlin:

Since 2003, the state of Kansas has partnered with the Republic of Armenia. The Republic of Armenia is located in the southern Caucasus. It is bordered by Georgia to the north, Iran to the south, Turkey to the west, and Azerbaijan to the east. The total population is around 3 million, with about 46% of the labor force working in agriculture.

The partnership program promotes political, economic and social development as well as military cooperation by taking advantage of the unique civil-military nature of

the National Guard and its citizen-soldiers, because each guardsman has a profession outside of the military. And just maybe, Kansas has a special link to Armenia because an Armenian doctor saved the life of Senator Bob Dole during World War II. And although the relationship between Kansas and Armenia was primarily established for military cooperation, it has evolved into other aspects of life.

Remarks by Rep Weigel:

The Kansas National Guard has concentrated its military efforts to assist the Armenian Ministry of Defense in its peacekeeping capability by being co-located with Armenian troops during deployments to Kosovo and Iraq. Kansas is also assisting Armenia with the development of their Non-Commissioned Officer Corps and has recently sent Kansas medical service personnel to assist in the development of Mobile hospitals that can be used as regional emergency response assets.

Besides sending agricultural teams to Armenia, Kansas is also assisting Armenia with its agricultural bio-security program. The National Ag-Biosecurity Center at Kansas State University has worked with Armenia in developing a national Agriculture Foreign Disease response plan. Workshops and tabletop exercises were conducted in 2009 and 2010 in Armenia and an Armenian delegation also observed a Foreign Animal Disease response exercise in Kansas in 2010.

Kansas is assisting Armenia with its Nuclear Power program. Representatives from the Kansas Adjutant General's Department of Emergency Management participated in a Nuclear Power Plant exercise in Armenia in 2009 and Kansas has hosted the Armenian Rescue Service and a delegation from several ministries to observe a Wolf Creek joint exercise in Kansas.

Kansas and Armenia have partnered in various Law Enforcement training exercises and programs. Four Kansas Law Enforcement Departments have partnered with the Armenia Bureau of International Narcotics and Law Enforcement to participate in a Law enforcement reform initiative. This will be a multi-year engagement between Kansas law enforcement institutions and Armenia's state police. Senior officials from the Kansas City, Overland Park, and Topeka Police Departments, along with the Kansas Law Enforcement Training Center in Hutchinson have met with their Armenian counterparts to formalize their relationships in Kansas and Armenia and have focused on community policing and internal review processes as well as civil restraint.

Remarks by Rep Goico:

Today we are honored to have actual representatives of our Kansas and Armenian partnership here. They are here on this visit to observe firsthand how Kansas law enforcement officers handle crime scenes; recover, process and store evidence; and how crime analysts are able to track and predict future crime trends. We would like to welcome them to Kansas. We have:

Mr. Sergey Abrahamyan, the Head of the International Legal Provision Branch and Deputy Head of the Defense Policy Department

Colonel Sasun Simonyan, the Deputy Head of the Legal Department

Colonel Hovik Hovhannisyanyan, the Head of the Military Police Investigation Branch

Lieutenant Colonel Armen Mnatsakanyan, the Deputy Head of the Military Police Operational Intelligence Branch

Ms. Armine Martirosyan, the US Embassy Office of Defense Cooperation Translator

Command Chief Master Sergeant James Brown, State Command Chief
 Lieutenant Colonel Matt Oleen, Staff Judge Advocate
 Lieutenant Colonel Brent Salmans, Director of the State Partnership Program
 And Captain Paul Cope, Sergeant First Class Geoffrey Gorup, and Specialist Amber
 Stuckert, members of the Kansas legal team
 Mrs. Sharon Watson, the TAG's Director of Public Affairs and Mr. Matthew Lucht.
 Thank you all for being here. Congratulations on your partnership's 10 year
 anniversary and we wish you many more years of success.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2204**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2204** 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 6 through 34;

By striking all on pages 2 through 4;

On page 5, by striking line 1 and inserting:

"Section 1. K.S.A. 2012 Supp. 8-2107 is hereby amended to read as follows: 8-2107. (a) (1) Notwithstanding any other provisions of the uniform act regulating traffic on highways, when a person is stopped by a police officer for any of the offenses described in subsection (d) and such person is not immediately taken before a judge of the district court, the police officer may require the person stopped, subject to the provisions of subsection (c), to deposit with the officer a valid Kansas driver's license in exchange for a receipt therefor issued by such police officer, the form of which shall be approved by the division of vehicles. Such receipt shall be recognized as a valid temporary Kansas driver's license authorizing the operation of a motor vehicle by the person stopped until the date of the hearing stated on the receipt. The driver's license and a written copy of the notice to appear shall be delivered by the police officer to the court having jurisdiction of the offense charged as soon as reasonably possible. If the hearing on such charge is continued for any reason, the judge may note on the receipt the date to which such hearing has been continued and such receipt shall be recognized as a valid temporary Kansas driver's license until such date, but in no event shall such receipt be recognized as a valid Kansas driver's license for a period longer than 30 days from the date set for the original hearing. Any person who has deposited a driver's license with a police officer under this subsection (a) shall have such license returned upon final determination of the charge against such person.

(2) In the event the person stopped deposits a valid Kansas driver's license with the police officer and fails to appear in the district court on the date set for appearance, or any continuance thereof, and in any event within 30 days from the date set for the original hearing, the court shall forward such person's driver's license to the division of

vehicles with an appropriate explanation attached thereto. Upon receipt of such person's driver's license, the division shall suspend such person's privilege to operate a motor vehicle in this state until such person appears before the court having jurisdiction of the offense charged, the court makes a final disposition thereof and notice of such disposition is given by the court to the division. No new or replacement license shall be issued to any such person until such notice of disposition has been received by the division. The provisions of K.S.A. 8-256, and amendments thereto, limiting the suspension of a license to one year, shall not apply to suspensions for failure to appear as provided in this subsection (a).

(b) No person shall apply for a replacement or new driver's license prior to the return of such person's original license which has been deposited in lieu of bond under this section. Violation of this subsection (b) is a class C misdemeanor. The division may suspend such person's driver's license for a period of not to exceed one year from the date the division receives notice of the disposition of the person's charge as provided in subsection (a).

(c) (1) In lieu of depositing a valid Kansas driver's license with the stopping police officer as provided in subsection (a), the person stopped may elect to give bond in the amount specified in subsection (d) for the offense for which the person was stopped. When such person does not have a valid Kansas driver's license, such person shall give such bond. Such bond shall be subject to forfeiture if the person stopped does not appear at the court and at the time specified in the written notice provided for in K.S.A. 8-2106, and amendments thereto.

(2) Such bond may be a cash bond, a bank card draft from any valid and unexpired credit card approved by the division of vehicles or superintendent of the Kansas highway patrol or a guaranteed arrest bond certificate issued by either a surety company authorized to transact such business in this state or an automobile club authorized to transact business in this state by the commissioner of insurance. If any of the approved bank card issuers redeem the bank card draft at a discounted rate, such discount shall be charged against the amount designated as the fine for the offense. If such bond is not forfeited, the amount of the bond less the discount rate shall be reimbursed to the person providing the bond by the use of a bank card draft. Any such guaranteed arrest bond certificate shall be signed by the person to whom it is issued and shall contain a printed statement that such surety company or automobile club guarantees the appearance of such person and will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person not to exceed an amount to be stated on such certificate.

(3) Such cash bond shall be taken in the following manner: The police officer shall furnish the person stopped a stamped envelope addressed to the judge or clerk of the court named in the written notice to appear and the person shall place in such envelope the amount of the bond, and in the presence of the police officer shall deposit the same in the United States mail. After such cash payment, the person stopped need not sign the written notice to appear, but the police officer shall note the amount of the bond mailed on the notice to appear form and shall give a copy of such form to the person. If the person stopped furnishes the police officer with a guaranteed arrest bond certificate or bank card draft, the police officer shall give such person a receipt therefor and shall note the amount of the bond on the notice to appear form and give a copy of such form to the person stopped. Such person need not sign the written notice to appear, and the police

officer shall present the notice to appear and the guaranteed arrest bond certificate or bank card draft to the court having jurisdiction of the offense charged as soon as reasonably possible.

(d) The offenses for which appearance bonds may be required as provided in subsection (c) and the amounts thereof shall be as follows:

On and after July 1, 1996:	
Reckless driving.....	\$82
Driving when privilege is canceled, suspended or revoked.....	82
Failure to comply with lawful order of officer.....	57
Registration violation (registered for 12,000 pounds or less).....	52
Registration violation (registered for more than 12,000 pounds).....	92
No driver's license for the class of vehicle operated or violation of restrictions.....	52
Spilling load on highway.....	52
Transporting open container of alcoholic liquor or cereal malt beverage accessible while vehicle in motion.....	223

(e) In the event of forfeiture of any bond under this section, \$75 of the amount forfeited shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(f) None of the provisions of this section shall be construed to conflict with the provisions of the nonresident violator compact.

(g) When a person is stopped by a police officer for any traffic infraction and the person is a resident of a state which is not a member of the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments thereto, or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection (c). The bond shall be in the amount specified in the uniform fine schedule in subsection (c) of K.S.A. 8-2118, and amendments thereto, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(h) When a person is stopped by a police officer for failure to provide proof of financial security pursuant to K.S.A. 40-3104, and amendments thereto, and the person is a resident of another state or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection (c). The bond shall be in the amount of \$75, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(i) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. ~~On and after the effective date of this act through June 30, 2013, July 1, 2013, through July 1, 2015,~~ the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 2. K.S.A. 2012 Supp. 8-2110 is hereby amended to read as follows: 8-2110. (a) Failure to comply with a traffic citation means failure either to: (1) Appear before any

district or municipal court in response to a traffic citation and pay in full any fine and court costs imposed; or (2) otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and amendments thereto. Failure to comply with a traffic citation is a misdemeanor, regardless of the disposition of the charge for which such citation was originally issued.

(b) (†) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing or stopping, the district or municipal court in which the person should have complied with the citation shall mail notice to the person that if the person does not appear in district or municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The district or municipal court may charge an additional fee of \$5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the district or municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

~~(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application 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.~~

~~(B) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances: (i) In going to or returning from the person's place of employment or schooling; (ii) in the course of the person's employment; (iii) during a medical emergency; and (iv) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court. The provisions of this paragraph shall expire on January 1,~~

2012-

(c) Except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$59 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement 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 and shall credit 42.37% of such moneys to the division of vehicles operating fund, 31.78% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 10.59% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2012 Supp. 20-1a15, and amendments thereto.

(d) The district court or municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the United States, or volunteering for such active duty, or being called into service as a member of the state of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service. In any case of a failure to comply with a traffic citation which occurred on or after August 1, 1990, and prior to the effective date of this act, in which a person was assessed and paid a reinstatement fee and the person failed to comply with a traffic citation because the person was absent from Kansas because of any such military service, the reinstatement fee shall be reimbursed to such person upon application therefor. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(e) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 3. K.S.A. 2012 Supp. 21-6614 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 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 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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. 2012 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 ~~April 12, 2012, through June 30, 2013~~ July 1, 2013, through July 1, 2015, 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 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. 2012 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 Kansas department of social and rehabilitation for aging and disability 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. 2012 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 for aging and disability~~ 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 ~~Kansas department of social and rehabilitation for aging and disability~~ 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.

Sec. 4. K.S.A. 2012 Supp. 22-2410 is hereby amended to read as follows: 22-2410.

(a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

- (1) The petitioner's full name;
- (2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;
- (3) the petitioner's sex, race and date of birth;
- (4) the crime for which the petitioner was arrested;
- (5) the date of the petitioner's arrest; and
- (6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-6107, and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. 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.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings; or
- (4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order 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. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in 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;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) 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;

(4) to aid in determining the petitioner's qualifications for executive director of the

Kansas racing 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;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) 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; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) 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

(2) 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.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 5. K.S.A. 2012 Supp. 23-2510 is hereby amended to read as follows: 23-2510.

(a) The judge or clerk of the district court shall collect from the applicant for a marriage license a fee of \$59.

(b) The clerk of the court shall remit all fees prescribed by 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. Of each remittance, the state treasurer shall credit 38.98% to the protection from abuse fund, 15.19% to the family and children trust account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto, 16.95% to the crime victims assistance fund created by K.S.A. 74-7334, and amendments thereto, 15.25% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2012 Supp. 20-1a15, and amendments thereto, and the remainder to the state general fund.

(c) Except as provided further, the marriage license fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for a marriage license. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$26.50 per marriage license fee, to fund the costs of non-judicial personnel.

Sec. 6. K.S.A. 2012 Supp. 28-170 is hereby amended to read as follows: 28-170.

(a) The docket fee prescribed by K.S.A. 60-2001, and amendments thereto, and the fees for service of process, shall be the only costs assessed for services of the clerk of the district court and the sheriff in any case filed under chapter 60 or chapter 61 of the Kansas Statutes Annotated, and amendments thereto, except that no fee shall be charged for an action filed under K.S.A. 60-3101 et seq., and under K.S.A. 60-31a01 et seq., and amendments thereto. For services in other matters in which no other fee is prescribed by statute, the following fees shall be charged and collected by the clerk. Only one fee shall be charged for each bond, lien or judgment:

- 1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to perform, personal property tax judgment or any judgment on which execution process cannot be issued..... \$14
- 2. For filing, entering and releasing a judgment of a court of this state on which execution or other process can be issued..... \$24
- 3. For a certificate, or for copying or certifying any paper or writ, such fee as shall be prescribed by the district court.

(b) The fees for entries, certificates and other papers required in naturalization cases shall be those prescribed by the federal government and, when collected, shall be disbursed as prescribed by the federal government. The clerk of the court shall remit to the state treasurer at least monthly all moneys received from fees prescribed by subsection (a) or (b) or received for any services performed which may be required by law. The state treasurer shall deposit the remittance in the state treasury and credit the entire amount to the state general fund.

(c) In actions pursuant to the revised Kansas code for care of children, K.S.A. 2012 Supp. 38-2201 et seq., and amendments thereto, the revised Kansas juvenile justice code, K.S.A. 2012 Supp. 38-2301 et seq., and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk shall charge an additional fee of \$1 which shall be deducted from the docket fee and credited to the prosecuting attorneys' training fund as provided in K.S.A. 28-170a, and amendments thereto.

(d) In actions pursuant to the revised Kansas code for care of children, K.S.A. 2012 Supp. 38-2201 et seq., and amendments thereto, the revised Kansas juvenile justice code, K.S.A. 2012 Supp. 38-2301 et seq., and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk shall charge an additional fee of \$.50 which shall be deducted from the docket fee and credited to the indigents' defense services fund as provided in K.S.A. 28-172b, and amendments thereto.

(e) Except as provided further, the bond, lien or judgment fee established in

subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such bond, lien or judgment. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per bond, lien or judgment fee, to fund the costs of non-judicial personnel.

Sec. 7. K.S.A. 2012 Supp. 28-172a is hereby amended to read as follows: 28-172a. (a) Except as otherwise provided in this section, whenever the prosecuting witness or defendant is adjudged to pay the costs in a criminal proceeding in any county, a docket fee shall be taxed as follows, on and after July 1, 2013:

(1) ~~On and after July 1, 2009 through June 30, 2013:~~

Murder or manslaughter.....	\$182.50
Other felony.....	173.00
Misdemeanor.....	138.00
Forfeited recognizance.....	74.50
Appeals from other courts.....	74.50

(2) ~~On and after July 1, 2013:~~

Murder or manslaughter.....	\$180.50
Other felony.....	171.00
Misdemeanor.....	136.00
Forfeited recognizance.....	72.50
Appeals from other courts.....	72.50

(b) (1) Except as provided in paragraph (2), in actions involving the violation of any of the laws of this state regulating traffic on highways, including those listed in subsection (c) of K.S.A. 8-2118, and amendments thereto, a cigarette or tobacco infraction, any act declared a crime pursuant to the statutes contained in chapter 32 of the Kansas Statutes Annotated, and amendments thereto, or any act declared a crime pursuant to the statutes contained in article 8 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, ~~on and after July 1, 2009 through June 30, 2013, a docket fee of \$76 shall be charged, and~~ on and after July 1, 2013, a docket fee of \$74 shall be charged. When an action is disposed of under subsections (a) and (b) of K.S.A. 8-2118 or subsection (f) of K.S.A. 79-3393, and amendments thereto, ~~on and after July 1, 2009 through June 30, 2013, the docket fee to be paid as court costs shall be \$76, and~~ on and after July 1, 2013, the docket fee to be paid as court costs shall be \$74.

(2) In actions involving the violation of a moving traffic violation under K.S.A. 8-2118, and amendments thereto, as defined by rules and regulations adopted under K.S.A. 8-249, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, ~~on and after July 1, 2009 through June 30, 2013, a docket fee of \$76 shall be charged, and~~ on and after July 1, 2013, a docket fee of \$74 shall be charged. When an action is disposed of under subsection (a) and (b) of K.S.A. 8-2118, and amendments thereto, ~~on and after July 1, 2009 through June 30, 2013, the docket fee to be paid as court costs shall be \$76, and~~ on and after July 1, 2013, the docket fee to be paid as court costs shall be \$74.

(c) If a conviction is on more than one count, the docket fee shall be the highest one applicable to any one of the counts. The prosecuting witness or defendant, if assessed

the costs, shall pay only one fee. Multiple defendants shall each pay one fee.

(d) Statutory charges for law library funds, the law enforcement training center fund, the prosecuting attorneys' training fund, the juvenile detention facilities fund, the judicial branch education fund, the emergency medical services operating fund and the judiciary technology fund shall be paid from the docket fee; the family violence and child abuse and neglect assistance and prevention fund fee shall be paid from criminal proceedings docket fees. All other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Additional fees shall include, but are not limited to, fees for Kansas bureau of investigation forensic or laboratory analyses, fees for detention facility processing pursuant to K.S.A. 12-16,119, and amendments thereto, fees for the sexual assault evidence collection kit, fees for conducting an examination of a sexual assault victim, fees for service of process outside the state, witness fees, fees for transcripts and depositions, costs from other courts, doctors' fees and examination and evaluation fees. No sheriff in this state shall charge any district court of this state a fee or mileage for serving any paper or process.

(e) In each case charging a violation of the laws relating to parking of motor vehicles on the statehouse grounds or other state-owned or operated property in Shawnee county, Kansas, as specified in K.S.A. 75-4510a, and amendments thereto, or as specified in K.S.A. 75-4508, and amendments thereto, the clerk shall tax a fee of \$2 which shall constitute the entire costs in the case, except that witness fees, mileage and expenses incurred in serving a warrant shall be in addition to the fee. Appearance bond for a parking violation of K.S.A. 75-4508 or 75-4510a, and amendments thereto, shall be \$3, unless a warrant is issued. The judge may order the bond forfeited upon the defendant's failure to appear, and \$2 of any bond so forfeited shall be regarded as court costs.

(f) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 8. K.S.A. 2012 Supp. 28-177 is hereby amended to read as follows: 28-177. (a) Except as provided in this section and K.S.A. 2012 Supp. 28-178, and amendments thereto, the fees established by legislative enactment shall be the only fee collected or moneys in the nature of a fee collected for court procedures. 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. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$26.50 per fee or the amount established by the applicable statute, whichever amount is less, to fund the costs of non-judicial personnel.

(b) Such additional charge imposed by the court pursuant to K.S.A. 8-2107, 8-2110, 22-2410, ~~23-108a~~, 28-170, 28-172a, 59-104, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and K.S.A. 2012 Supp. 21-6614, 23-2510, 28-178, 28-179, 32-1049a, 38-2215, 38-2312 and 38-2314, 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 judicial branch surcharge fund, which is hereby created in the state treasury.

(c) All moneys credited to the judicial branch surcharge fund shall be used for compensation of non-judicial personnel and shall not be expended for compensation of judges or justices of the judicial branch.

(d) All expenditures from the judicial branch surcharge fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

Sec. 9. K.S.A. 2012 Supp. 28-178 is hereby amended to read as follows: 28-178. (a) In addition to any other fees specifically prescribed by law, on and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose a charge, not to exceed \$12.50 per fee, to fund the costs of non-judicial personnel, on the following:

(1) A person who requests an order or writ of execution pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(2) Persons who request a hearing in aid of execution pursuant to K.S.A. 60-2419, and amendments thereto.

(3) A person requesting an order for garnishment pursuant to article 7 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, or article 35 of chapter 61 of the Kansas Statutes Annotated, and amendments thereto.

(4) Persons who request a writ or order of sale pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(5) A person who requests a hearing in aid of execution pursuant to K.S.A. 61-3604, and amendments thereto.

(6) A person who requests an attachment against the property of a defendant or any one or more of several defendants pursuant to K.S.A. 60-701 or 61-3501, and amendments thereto.

(b) The clerk of the district court shall remit all revenues received from the fees imposed pursuant to subsection (a) 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 judicial branch surcharge fund.

(c) The fees established in this section shall be the only fee collected or moneys in the nature of a fee collected for such court procedures. 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.

Sec. 10. K.S.A. 2012 Supp. 28-179 is hereby amended to read as follows: 28-179. (a) No post-decree motion petitioning for a modification or termination of separate maintenance, for a change in legal custody, residency, visitation rights or parenting time or for a modification of child support shall be filed or docketed in the district court without payment of a docket fee in the amount of ~~\$42 on and after July 1, 2009 through June 30, 2013, and~~ \$40 on and after July 1, 2013, to the clerk of the district court.

(b) A poverty affidavit may be filed in lieu of a docket fee as established in K.S.A. 60-2001, and amendments thereto.

(c) The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and amendments thereto.

(d) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 11. K.S.A. 2012 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife, parks and tourism citation means failure to:

(1) Appear before any district court in response to a wildlife, parks and tourism citation and pay in full any fine, court costs, assessments or fees imposed;

(2) fully pay or satisfy all fines, court costs, assessments or fees imposed as a part of the sentence of any district court for violation of the wildlife, parks and tourism laws of this state; or

(3) otherwise comply with a wildlife, parks and tourism citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife, parks and tourism citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

(b) The term "citation" means any complaint, summons, notice to appear, ticket, warrant, penalty assessment or other official document issued for the prosecution of the wildlife, parks and tourism laws or rules and regulations of this state.

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife, parks and tourism citation or sentence for a violation of wildlife, parks and tourism laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the Kansas department of wildlife, parks and tourism shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife, parks and tourism citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife, parks and tourism citation or sentence of the district court for violation of the wildlife, parks and tourism laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

(d) Except as provided in subsection (e), when the district court notifies the department of a failure to comply with a wildlife, parks and tourism citation or failure to comply with a sentence of the district court imposed on violation of a wildlife, parks and tourism law or rule and regulation, the court shall assess a reinstatement fee of \$50 for each charge or sentence on which the person failed to make satisfaction, regardless

of the disposition of the charge for which such citation was originally issued. Such reinstatement fee shall be in addition to any fine, court costs and other assessments, fees or penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the state general fund.

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife, parks and tourism citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 12. K.S.A. 2012 Supp. 38-2215 is hereby amended to read as follows: 38-2215. (a) *Docket fee.* The docket fee for proceedings under this code, if one is assessed as provided in this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Expenses.* The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket fee may be assessed or waived by the court conducting the initial dispositional hearing and the docket fee may be assessed against the complaining witness or person initiating the proceedings or a party or interested party other than the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state, or a person acting in the capacity of an employee of the state or of a political subdivision of the state. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) *Expenses.* Expenses may be assessed against the complaining witness, a person

initiating the proceedings, a party or an interested party, other than the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the capacity of an employee of the state or of a political subdivision of the state. When expenses are recovered from a person against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery. If it appears to the court in any proceedings under this code that expenses were unreasonably incurred at the request of any party the court may assess that portion of the expenses against the party.

(d) *Cases in which venue is transferred.* If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportion of the expenses is collected by the receiving court. All amounts collected shall first be applied toward payment of the docket fee.

Sec. 13. K.S.A. 2012 Supp. 38-2312 is hereby amended to read as follows: 38-2312. (a) Except as provided in subsection (b) and (c), any records or files specified in this code concerning a juvenile may be expunged upon application to a judge of the court of the county in which the records or files are maintained. The application for expungement may be made by the juvenile, if 18 years of age or older or, if the juvenile is less than 18 years of age, by the juvenile's parent or next friend.

(b) There shall be no expungement of records or files concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2012 Supp. 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 2012 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2012 Supp. 21-5405, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs; K.S.A. 21-3502, prior to its repeal, or K.S.A. 2012 Supp. 21-5503, and amendments thereto, rape; K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5506, and amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and amendments thereto, indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5508, and amendments thereto, aggravated indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, sexual exploitation; K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments thereto, aggravated incest; K.S.A. 21-3608, prior to its

repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5601, and amendments thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 2012 Supp. 21-5602, and amendments thereto, abuse of a child; or which would constitute an attempt to commit a violation of any of the offenses specified in this subsection.

(c) 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.

(d) When a petition for expungement is filed, the court shall set a date for a hearing on the petition and shall give notice thereof to the county or district attorney. The petition shall state: (1) The juvenile's full name; (2) the full name of the juvenile as reflected in the court record, if different than (1); (3) the juvenile's sex and date of birth; (4) the offense for which the juvenile was adjudicated; (5) the date of the trial; and (6) the identity of the trial court. 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 through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. All petitions for expungement shall be docketed in the original 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.

(e) (1) After hearing, the court shall order the expungement of the records and files if the court finds that:

(A) The juvenile has reached 23 years of age or that two years have elapsed since the final discharge;

(B) since the final discharge of the juvenile, the juvenile has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated as a juvenile offender under the revised Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and

(C) the circumstances and behavior of the petitioner warrant expungement.

(2) The court may require that all court costs, fees and restitution shall be paid.

(f) Upon entry of an order expunging records or files, the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under this code the offense may be considered in determining the sentence to be imposed. The petitioner, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the juvenile. Inspection of the expunged files or records thereafter may be permitted by order of the court upon petition by the person who is the subject thereof. The inspection shall be limited to inspection by the person who is the subject of the files or records and the person's designees.

(g) A certified copy of any order made pursuant to subsection (a) or (d) shall be sent to the Kansas bureau of investigation, which shall notify every juvenile or criminal justice agency which may possess records or files ordered to be expunged. If the agency fails to comply with the order within a reasonable time after its receipt, such agency may be adjudged in contempt of court and punished accordingly.

(h) The court shall inform any juvenile who has been adjudicated a juvenile

offender of the provisions of this section.

(i) Nothing in this section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the juvenile.

(j) Nothing in this section shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the revised Kansas juvenile justice code.

(k) Whenever the records or files of any adjudication have been expunged under the provisions of this section, the custodian of the records or files of adjudication relating to that offense shall not disclose the existence of such records or files, 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~~ secretary of aging and disability 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 ~~Kansas department of social and rehabilitation~~ Kansas department of aging and disability 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) 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;
- (7) the governor or the Kansas racing 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;
- (8) the Kansas sentencing commission; or
- (9) 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)(9) shall apply to all records created prior to, on and after July 1, 2011.

Sec. 14. K.S.A. 2012 Supp. 38-2314 is hereby amended to read as follows: 38-2314. (a) *Docket fee*. The docket fee for proceedings under this code, if one is assessed

as provided by this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Expenses.* The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) *Assessment of docket fee and expenses.* (1) *Docket fee.* The docket fee may be assessed or waived by the court conducting the initial sentencing hearing and may be assessed against the juvenile or the parent of the juvenile. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) *Expenses.* Expenses may be waived or assessed against the juvenile or a parent of the juvenile. When expenses are recovered from a party against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery.

(3) *Prohibited assessment.* Docket fees or expenses shall not be assessed against the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the capacity of an employee of the state or of a political subdivision of the state.

(d) *Cases in which venue is transferred.* If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportionate share of the expenses is collected by the receiving court. Unless otherwise ordered by the court, all amounts collected shall first be applied toward payment of restitution, then toward the payment of the docket fee.

Sec. 15. K.S.A. 2012 Supp. 59-104 is hereby amended to read as follows: 59-104.

(a) *Docket fee.* (1) Except as otherwise provided by law, no case shall be filed or docketed in the district court under the provisions of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, without payment of an appropriate docket fee as follows, on and after July 1, 2013:

(A) ~~On and after July 1, 2009 through June 30, 2013:~~

Treatment of mentally ill.....	\$59.00
Treatment of alcoholism or drug abuse.....	36.50
Determination of descent of property.....	51.50
Termination of life estate.....	50.50
Termination of joint tenancy.....	50.50
Refusal to grant letters of administration.....	50.50

Adoption	50.50
Filing a will and affidavit under K.S.A. 59-618a.....	50.50
Guardianship	71.50
Conservatorship	71.50
Trusteeship.....	71.50
Combined guardianship and conservatorship	71.50
Certified probate proceedings under K.S.A. 59-213, and amendments thereto	25.50
Decrees in probate from another state.....	110.50
Probate of an estate or of a will	111.50
Civil commitment under K.S.A. 59-29a01 seq.....	35.50

(B) — On and after July 1, 2013:

Treatment of mentally ill	34.50
Treatment of alcoholism or drug abuse	34.50
Determination of descent of property	49.50
Termination of life estate	48.50
Termination of joint tenancy	48.50
Refusal to grant letters of administration	48.50
Adoption	48.50
Filing a will and affidavit under K.S.A. 59-618a.....	48.50
Guardianship	9.50
Conservatorship	69.50
Trusteeship	69.50
Combined guardianship and conservatorship	69.50
Certified probate proceedings under K.S.A. 59-213, and amendments thereto	23.50
Decrees in probate from another state	108.50
Probate of an estate or of a will	109.50
Civil commitment under K.S.A. 59-29a01 seq.	33.50

(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Poverty affidavit in lieu of docket fee and exemptions.* The provisions of subsection (b) of K.S.A. 60-2001 and K.S.A. 60-2005, and amendments thereto, shall apply to probate docket fees prescribed by this section.

(c) *Disposition of docket fee.* Statutory charges for the law library and for the prosecuting attorneys' training fund shall be paid from the docket fee. The remainder of the docket fee shall be paid to the state treasurer in accordance with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process outside the state, fees for depositions, transcripts and publication of legal notice,

executor or administrator fees, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties or estate as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

Sec. 16. K.S.A. 2012 Supp. 60-2001 is hereby amended to read as follows: 60-2001. (a) *Docket fee*. Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of ~~\$156 on and after July 1, 2009 through June 30, 2013, and~~ \$154 on and after July 1, 2013, to the clerk of the district court. Except as provided further, the docket fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Poverty affidavit in lieu of docket fee*. (1) *Effect*. In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required. An inmate in the custody of the secretary of corrections may file a poverty affidavit only if the inmate attaches a statement disclosing the average account balance, or the total deposits, whichever is less, in the inmate's trust fund for each month in: (A) The six-month period preceding the filing of the action; or (B) the current period of incarceration, whichever is shorter. Such statement shall be certified by the secretary. On receipt of the affidavit and attached statement, the court shall determine the initial fee to be assessed for filing the action and in no event shall the court require an inmate to pay less than \$3. The secretary of corrections is hereby authorized to disburse money from the inmate's account to pay the costs as determined by the court. If the inmate has a zero balance in such inmate's account, the secretary shall debit such account in the amount of \$3 per filing fee as established by the court until money is credited to the account to pay such docket fee. Any initial filing fees assessed pursuant to this subsection shall not prevent the court, pursuant to subsection (d), from taxing that individual for the remainder of the amount required under subsection (a) or this subsection.

(2) *Form of affidavit*. The affidavit provided for in this subsection shall be in the following form and attached to the petition:

State of Kansas, _____ County.

In the district court of the county: I do solemnly swear that the claim set forth in the petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee.

(c) *Disposition of fees*. The docket fees and the fees for service of process shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. For every person to be served by the sheriff, the persons requesting service of process shall provide proper payment to the clerk and the clerk of the district court shall forward the service of process fee to the sheriff in accordance with K.S.A. 28-110, and amendments thereto. The service of process fee, if paid by check or money order, shall be made payable to the sheriff. Such service of process fee shall be submitted by the sheriff at least monthly to the county treasurer for deposit in the county treasury and credited to the county general fund. The docket fee shall be disbursed in accordance

with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process, fees for depositions, alternative dispute resolution fees, transcripts and publication, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any mileage for serving any papers or process.

Sec. 17. K.S.A. 2012 Supp. 60-2203a is hereby amended to read as follows: 60-2203a. (a) After the commencement of any action in any district court of this state, or the courts of the United States in the state of Kansas or in any action now pending heretofore commenced in such courts, which does not involve title to real estate, any party to such action may give notice in any other county of the state of the pendency of the action by filing for record with the clerk of the district court of such other county a verified statement setting forth the parties to the action, the nature of the action, the court in which it is pending, and the relief sought, which shall impart notice of the pendency of the action and shall result in the same lien rights as if the action were pending in that county. The lien shall be effective from the time the statement is filed, but not to exceed four months prior to the entry of judgment except as provided in subsection (c). The party filing such notice shall within 30 days after any satisfaction of the judgment entered in such action, or any other final disposition thereof, cause to be filed with such clerk of the district court a notice that all claims in such action are released. If the party filing fails or neglects to do so after reasonable demand by any party in interest, such party shall be liable in damages in the same amounts and manner as is provided by law for failure of a mortgagee to enter satisfaction of a mortgage. Upon the filing of such a notice of the pendency of an action the clerk shall charge a fee of \$14 and shall enter and index the action in the same manner as for the filing of an original action. Upon the filing of a notice of release, the notice shall likewise be entered on the docket. Except as provided further, the fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the court procedure. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per fee, to fund the costs of non-judicial personnel.

(b) Any notice of the type provided for in subsection (a) which was filed on or after January 10, 1977, and prior to the effective date of this act shall be deemed to impart notice of the pendency of the action in the same manner as if the provisions of subsection (a) were in force and effect on and after January 10, 1977.

(c) Notwithstanding the foregoing provisions of this section, the filing of a notice of the pendency of an action pursuant to subsection (a) shall create no lien rights against the property of an employee of the state or a municipality prior to the date judgment is rendered if the pleadings in the pending action allege a negligent or wrongful act or omission of the employee while acting within the scope of such employee's employment, regardless of whether or not it is alleged in the alternative that the employee was acting outside of such employee's employment. A judgment against an

employee shall become a lien upon such employee's property in the county where notice is filed pursuant to subsection (a) when the judgment is rendered only if it is found that: (1) The employee's negligent or wrongful act or omission occurred when the employee was acting outside the scope of such employee's employment; or (2) the employee's conduct which gave rise to the judgment was because of actual fraud or actual malice of the employee. In such cases the lien shall not be effective prior to the date judgment was rendered. As used in this subsection (c), "employee" shall have the meaning ascribed to such term in K.S.A. 75-6102, and amendments thereto.

Sec. 18. K.S.A. 2012 Supp. 61-2704 is hereby amended to read as follows: 61-2704. (a) An action seeking the recovery of a small claim shall be considered to have been commenced at the time a person files a written statement of the person's small claim with the clerk of the court if, within 90 days after the small claim is filed, service of process is obtained or the first publication is made for service by publication. Otherwise, the action is deemed commenced at the time of service of process or first publication. An entry of appearance shall have the same effect as service.

(b) Upon the filing of a plaintiff's small claim, the clerk of the court shall require from the plaintiff a docket fee of ~~\$39 on and after July 1, 2009, through June 30, 2013,~~ and \$37 on and after July 1, 2013, if the claim does not exceed \$500; or ~~\$59 on and after July 1, 2009, through June 30, 2013,~~ and \$57 on and after July 1, 2013, if the claim exceeds \$500; unless for good cause shown the judge waives the fee. The docket fee shall be the only costs required in an action seeking recovery of a small claim. No person may file more than 20 small claims under this act in the same court during any calendar year.

(c) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$12.50 per docket fee, to fund the costs of non-judicial personnel.

Sec. 19. K.S.A. 2012 Supp. 61-4001 is hereby amended to read as follows: 61-4001. (a) Docket fee. (1) No case shall be filed or docketed pursuant to the code of civil procedure for limited actions without the payment of a docket fee in the amount of ~~\$37 on and after July 1, 2009, through June 30, 2013,~~ and \$35 on and after July 1, 2013, if the amount in controversy or claimed does not exceed \$500; ~~\$57 on and after July 1, 2009, through June 30, 2013,~~ and \$55 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$500 but does not exceed \$5,000; or ~~\$103 on and after July 1, 2009, through June 30, 2013,~~ and \$101 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$5,000. If judgment is rendered for the plaintiff, the court also may enter judgment for the plaintiff for the amount of the docket fee paid by the plaintiff.

(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial

personnel.

(b) Poverty affidavit; additional court costs; exemptions for the state and municipalities. The provisions of subsections (b), (c) and (d) of K.S.A. 60-2001 and 60-2005, and amendments thereto, shall be applicable to lawsuits brought under the code of civil procedure for limited actions.

Sec. 20. K.S.A. 2012 Supp. 65-409 is hereby amended to read as follows: 65-409. (a) The clerk of the district court shall charge a fee of \$14 for entering and filing a lien statement under this act.

(b) Except as provided further, the lien fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such lien. 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. On and after ~~the effective date of this act through June 30, 2013~~ July 1, 2013, through July 1, 2015, the supreme court may impose an additional charge, not to exceed \$22 per lien fee, to fund the costs of non-judicial personnel.

Sec. 21. K.S.A. 2012 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, 61-4001 and 65-409 are hereby repealed.";

And by redesignating sections accordingly;

On page 1, in the title, by striking lines 1 through 3 and inserting:

"AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 2012 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, 61-4001 and 65-409 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

JEFF KING
GREG SMITH
DAVID HALEY

Conferees on part of Senate

LANCE Y. KINZER
ROBERT BRUCHMAN
JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2204** was adopted.

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

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs,

Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Christmann, Peterson, Sawyer.

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 2414, AN ACT concerning security interests; relating to farm products, implementation of a central filing system; amending K.S.A. 2012 Supp. 84-9-320 and repealing the existing section, by Committee on Appropriations.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Tuesday, May 14, 2013.

Journal of the House

FIFTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 14, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 113 members present.

Rep. Wolfe Moore was excused on verified illness.

Reps. Alford, Christmann, Ewy, Goico, Hermanson, Hutton, Kleeb, Montgomery, Moxley, Schwab and Shultz were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear God,
Your Word tells us that
“where there is no vision, the people will perish.”
Everyone here today has a vision
of making things better for Kansans.
However great and good our visions are,
they are limited by the fact that we can only see today.
Each day we make judgments and decisions
that we trust lead us in the right direction.
However, when we look at the great scheme of things,
we recognize that You, God, make all the difference.
Give us your vision as You know what lies ahead for us.
May we work together in accomplishing Your will.
We invite You to make the difference
in our work and efforts.
I pray this in the name of your Son, Jesus Christ, Amen.

The Pledge of Allegiance was led by Rep. Lusk.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Commerce, Labor and Economic Development: **HB 2414**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2115**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2115** 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 27, by inserting:

"Sec. 2. K.S.A. 2012 Supp. 75-6210 is hereby amended to read as follows: 75-6210. (a) Upon completion of a setoff transaction, the director shall transfer the net proceeds collected to the account or fund of the state agency, foreign state agency or municipality to which the debt was owed.

(b)(1) From the gross proceeds collected by the director through setoff, the director shall retain a reasonable collection assistance fee in an amount based on cost, as determined by generally accepted cost allocation techniques, except that in the case of transactions for collection of debts arising from the employment security law such fee shall not exceed \$300 for any transaction.

(2) The director shall retain a reasonable collection assistance fee from the gross proceeds of collections through setoff on behalf of a municipality as specified in an agreement entered into pursuant to K.S.A. 75-6204, and amendments thereto, or foreign state agency in such amount as specified in the reciprocal agreement entered into pursuant to K.S.A. 75-6215, and amendments thereto.

(3) The collection assistance fee shall be paid as an additional cost for all debts owed to the court when the court utilizes debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto. The collection assistance fee shall be retained from the amount collected, but shall not be deducted from the debts owed to the court.

(4) The director may credit a portion of the collection assistance fee to the appropriate account or fund of any other state agency that has incurred expenses in assisting in the collection of the debt.

(5) The amount of the collection assistance fee retained by the director 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 accounting services recovery fund.

(c) Upon receipt by the state agency, foreign state agency or municipality of the net proceeds collected, the state agency, foreign state agency or municipality shall credit the debtor's obligation in the amount of the gross proceeds collected.

(d) Except as otherwise prescribed by the director or the secretary of administration, any state agency, foreign state agency or municipality which receives any payment from a debtor after notification to the debtor under K.S.A. 75-6206, and amendments thereto, other than payments collected pursuant to K.S.A. 44-718, and amendments thereto, or collected through the federal government or judicial process, shall remit the collection assistance fee imposed under subsection (b) to the director which shall be credited to the accounting services recovery fund. If a state agency fails to remit the collection assistance fee as required by this subsection, the director may transfer an amount equal to such collection assistance fee from the appropriate account or fund of the state agency to the accounting services recovery fund. If a foreign state

agency or municipality fails to remit the collection assistance fee as required by this subsection, the director may seek collection of such fee in such manner as may be allowed by law.

(e) In cases involving the collection of debts arising from the employment security law, the entire amount collected shall be credited to the employment security fund and the collection assistance fee shall be transferred from the special employment security fund to the accounting services recovery fund.";

And by renumbering sections accordingly;

Also on page 2, in line 28, by striking "is" and inserting "and K.S.A. 2012 Supp. 75-6210 are";

On page 1, in the title, in line 1, by striking "judges and justices" and inserting "courts"; in line 2, by striking "retirants" and inserting "judges and justices"; also in line 2, after the semicolon, by inserting "court debt setoff procedures;"; also in line 2, after "20-2622" by inserting "and K.S.A. 2012 Supp. 75-6210"; also in line 2, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2115** was adopted.

On roll call, the vote was: Yeas 100; Nays 13; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Finch, Finney, Frownfelter, Gandhi, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Huebert, Jennings, Johnson, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, O'Brien, Osterman, Pauls, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Siegfried, Sloan, Sloop, Suellentrop, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn.

Nays: Carpenter, DeGraaf, Edwards, Garber, Houser, Howell, Jones, McPherson, Peck, Seiwert, Sutton, Todd, Ward.

Present but not voting: None.

Absent or not voting: Alford, Christmann, Ewy, Goico, Hermanson, Hutton, Kleeb, Montgomery, Moxley, Schwab, Shultz, Wolfe Moore.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, May 15, 2013.

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 15, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 119 members present.

Reps. Moxley and Wolfe Moore were excused on verified illness.

Reps. Carlin, Kleeb, Montgomery and Osterman were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,
I read in an article
that the Gettysburg address has 269 words,
the Declaration of Independence has 1,337 words,
and one version of the Bible has only 773,000 words.
However, the tax law has grown from 11,400 words in 1913
to over 7 million words today.
It makes me wonder if the reason we are all still hanging around here
is because we have become people of too many words!
In all seriousness, be with our state leaders
as they work out the details of taxes and budget.
Discussing money always brings out controversial discussion—
which is probably why Jesus spoke more about money
than just about anything else.
Help them to balance wisdom along with prudence,
generosity along with fiscal responsibility,
and to know when and where to save
as well as when and where to spend.
I pray this in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Clayton.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Hoffman to replace Rep. Suellentrop on Committee on Appropriations for May 15-17.

REPORT ON ENGROSSED BILLS

HB 2081, HB 2120, HB 2261 reported correctly engrossed May 10, 2013.

HB 2015 reported correctly engrossed May 13, 2013.

HB 2115, HB 2204 reported correctly engrossed May 14, 2013.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Thursday, May 16, 2013.

Journal of the House

SIXTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 16, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 112 members present.

Rep. Wolfe Moore was excused on verified illness.

Reps. Carlin, Cassidy, Henderson, Hermanson, Johnson, Kleeb, Osterman, Peterson, Rubin, Ryckman, Sr., Suellentrop and Weber were excused on excused absence by the Speaker.

Prayer by Representative Mast:

Heavenly Father, I want to ask that You bless Eunice Brubaker as she faces the challenges before her. I pray You will restore her and give her full recovery.

It is that time of session again Lord where things can get testy and frustrating. May we focus on not being a bigger frustration to You Lord with our tempers, or with our lips. You have said what comes out of our lips comes from our hearts, please remind us of that and let us know how much You love us.

Lord, you have given us a great year this year. We have stayed pretty healthy and we have seen our state prosper. I pray you will let us finish up with the same civility we began this session. May the words of our mouths and the meditation of our hearts be acceptable in Your sight, Oh Lord, our strength, our Redeemer, and our song.

I pray these things in the name of Jesus Christ our Lord, Amen.

The Pledge of Allegiance was led by Rep. Finney.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Christmann and Thimesch are spread upon the Journal:

Remarks by Rep. Christmann:

After hearing plenty about the great successes of the football and basketball teams and K-State, KU and Wichita State this year, I'm excited to share some news from one of our independent colleges.

The Sterling College men's baseball team beat Oklahoma City University last Saturday afternoon. This victory earned the Sterling Warriors a bid to the Avista-NAIA Baseball World Series, which will be held in Lewiston, Idaho on May 24-31. Only 10 teams across the country qualify for this national championship tournament.

Not only is this the first ever trip for the Sterling Warriors to the NAIA World Series, it is the first time that any college in the KCAC athletic conference has ever made the NAIA World Series.

I wish the team could be here to be recognized, but they each know they are students first and foremost and it is exam week at Sterling. So after finishing their final exams and graduation this weekend, the young men will head to Lewiston, Idaho to play Missouri Baptist University in the first game of the double elimination tournament as the number 8 seed.

The game is May 24 at 11:00 a.m. CDT and can be heard on the radio on 95.9 KWHK out of Hutchinson.

Remarks by Rep. Thimesch:

I hope you all will join me in congratulating Sterling College, Head Coach Adrian Dinkel, Athletic Director, Gary Kempf, and the talented young men from the Sterling College baseball team on their success so far. We look forward to our student-athletes representing Sterling College and Kansas well on the national stage as true Champions of Character and hopefully as NAIA Champions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2415, AN ACT concerning courts; relating to the retirement system for judges; retirement age; amending K.S.A. 2012 Supp. 20-2608 and repealing the existing section, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5019**—

By Committee on Federal and State Affairs

A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

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: Article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 3.—JUDICIAL

"§ 1. **Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

"§ 2. Supreme court. (a) The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

(b) Justices of the supreme court: (1) Shall hold their offices during good behavior; (2) shall be subject to the retirement, discipline and removal for cause provisions of section 12 of this article; and (3) shall not be subject to a retention election.

"§ 3. Jurisdiction and terms. The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

"§ 4. Reporter; clerk. There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

"§ 5. Selection of justices of the supreme court. (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open on the supreme court as a result of enlargement of such court, or the retirement of an incumbent, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In the event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) No person appointed pursuant to this section shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment.

(2) The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session.

(3) In the event a majority of the senate does not vote to consent to the

appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. In the event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy.

(4) If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(c) No justice of the supreme court serving on the supreme court on the date of ratification of this amendment by the electors of the state shall be required to stand for a retention election in order to be retained in office on such date or anytime thereafter.

"§ 6. Court of appeals. (a) The court of appeals shall consist of not less than 14 judges who shall be selected as provided by this article. Judges of the court of appeals: (1) Shall hold their offices during good behavior; (2) shall be subject to the retirement, discipline and removal for cause provisions of section 12 of this article; and (3) shall not be subject to a retention election.

(b) The court of appeals shall be a part of the court of justice in which the judicial power of the state is vested by section 1 of this article and shall be subject to the general administrative authority of the supreme court. The court of appeals shall have such jurisdiction over appeals in civil and criminal cases and from administrative bodies and officers of the state as may be prescribed by law, and shall have such original jurisdiction as may be necessary to the complete determination of any cause on review. During the pendency of any appeal, the court of appeals, on such terms as may be just, may make an order suspending further proceedings in the court below, until the decision of the court of appeals.

(c) (1) Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement of an incumbent, shall be filled by appointment by the governor, with the consent of the senate, of a person possessing the qualifications of office.

(2) Whenever a vacancy occurs, will occur or position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) In the event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office.

(4) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(d) (1) No person appointed pursuant to this section shall assume the office of

judge of the court of appeals until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment.

(2) The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session.

(3) In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. In the event of the failure of the governor to make the appointment within 60 days from the date such vacancy occurred or position became open, the chief justice of the supreme court, with the consent of the senate, shall make the appointment of a person possessing the qualifications of office and such subsequent appointment shall be considered by the senate in the same procedure as provided in this article. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy.

(4) If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.

(e) No judge of the court of appeals serving on the supreme court on the date of ratification of this amendment by the electors of the state shall be required to stand for a retention election in order to be retained in office on such date or anytime thereafter.

(f) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

"§ 7. District courts. (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

"§ 8. Qualifications of justices and judges. Justices of the supreme court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

"§ 9. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed and consented to under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed and consented to under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

"§ 10. Extension of terms until successor qualified. All judicial officers shall hold their offices until their successors shall have qualified.

"§ 11. Compensation of justices and judges; certain limitation. The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States except as may be provided by law, or practice law during their continuance in office.

"§ 12. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

"§ 13. Savings clause. Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature."

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 place the law concerning the court of appeals into the constitution and to do away with the supreme court nominating commission. Further, supreme court justices and court of appeals judges would hold office for life, subject to the retirement, discipline and removal for cause provisions of section 15 of article 3 of the Kansas constitution, and would no longer be subject to a retention election. The governor would appoint a qualified person, or if the governor fails to act, the chief justice of the supreme court would appoint a qualified person, and such person's appointment would be required to be confirmed by the senate. A procedure is established whereby senate confirmation would occur within 60 days of receiving the appointment. If the senate does not confirm the appointment by a majority vote, the governor would then appoint another qualified person, and such person's appointment would again go to the senate for confirmation. The same appointment and confirmation procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it would be considered that the senate has confirmed the appointment.

"A vote for this proposition would provide a procedure whereby the governor or chief justice would appoint a person to be a supreme court justice or court of appeals judge and the senate, by majority vote, would confirm the appointment of the supreme court justice or court of appeals judge. Supreme court justices and court of appeals judges would hold office for life, subject to the retirement, discipline and removal for cause provisions of section 15 of article 3 of the Kansas constitution, and would no longer be subject to a retention election.

"A vote against this proposition would continue in effect the current provision whereby the supreme court nominating commission nominates three persons for the office of the supreme court or court of appeals and the governor appoints one of such persons. Supreme court justices would continue to hold six-year terms and be subject to retention elections, and court of appeals judges would continue to hold four-year terms and be subject to retention elections."

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 on 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 of the state at the election in August in the year 2014 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

MESSAGES FROM THE SENATE

Announcing passage of **SB 245**, **SB 246**.

Announcing passage of **HB 2216**, as amended.

Also, the Senate adopts the Conference Committee report on **HB 2199**.

The Senate adopts the Conference Committee report on **HB 2249**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were introduced and read by title:

SB 245, SB 246.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6032—**

By Representatives Howell, Bradford, Bridges, Brunk, Crum, DeGraaf, Dillmore, Dove, Edmonds, Edwards, Finney, Goico, Hawkins, Hedke, Hermanson, Hibbard, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Lunn, Lusk, Mast, Meigs, O'Brien, Osterman, Pauls, Peck, Proehl, Read, Rhoades, Rothlisberg, Ryckman Jr., Sawyer, Seiwert, Shultz, Sloop, Suellentrop, Todd, Trimmer, Vickrey, Victors, Ward and Whipple

A RESOLUTION congratulating Wichita State University Athletics on their successful year in sports.

WHEREAS, Wichita State University Athletics completed a phenomenal year in several NCAA sports including men's basketball, women's basketball, volleyball, men's golf, men's tennis and women's tennis; and

WHEREAS, The men's basketball team advanced to the NCAA tournament Final Four this year with a school record 30 wins. Malcolm Armstead was named the West Regional Most Outstanding Player, and Carl Hall was named to the All-tournament team; and

WHEREAS, The Lady Shockers produced the most successful season of women's basketball in program history. The Lady Shockers won the program's first regular season and Missouri Valley Conference tournament championships. They earned a trip to the NCAA tournament and set a school record with 24 wins, and Coach Jody Adams earned Missouri Valley Conference Coach of the Year honors; and

WHEREAS, The Wichita State volleyball team advanced to its first Sweet 16 in the NCAA tournament in school history this season. They finished the season with a 24-10 overall record and 13-5 record in the Missouri Valley Conference; and

WHEREAS, The men's golf team won the Missouri Valley Conference championship for the sixth straight year. All five Shockers who participated in the Missouri Valley championship earned all-conference status and WSU returned to the NCAA tournament for the 20th time in school history; and

WHEREAS, The men's tennis team won their second Missouri Valley Conference championship. They will now head to the NCAA tournament under head coach Brad Louderback; and

WHEREAS, The women's tennis team won their fifth consecutive regular season and Missouri Valley Conference tournament championship. With a record of 15-10, the team will be heading to their fifth consecutive NCAA tournament: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate Wichita State University Athletics on their tremendous success this year. Wichita State University has shown dedication to all sports in their athletic program, and we wish them success in the future;

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

directed to provide one enrolled copy of this resolution to Wichita State University Athletics.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 63**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 63** 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 Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 63** was adopted. Speaker Merrick thereupon appointed Reps. Kinzer, Bruchman and Pauls as second conferees on the part of the House.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Friday, May 17, 2013.

Journal of the House

SIXTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 17, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 110 members present.

Rep. Wolfe Moore was excused on verified illness.

Reps. Carlin, Cassidy, Goico, Hedke, Hermanson, Johnson, Kleeb, Meigs, Moxley, Osterman, Rubin, Suellentrop, Victors and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Jim Peters, pastor, Our Savior's Lutheran Church, Topeka:

God of abundance,

With all creation we give you thanks for the many gifts you pour out upon us. You fill the earth with good things and all we ask in return is the ability to receive them all with a grateful heart. Shower your blessings on this day. Bless the work of all our representatives and help them to accomplish all that you have in store for them. Help us to see your hand in every good thing and your aid in everything that challenges us. We ask for all of these things in your gracious name. Amen.

The Pledge of Allegiance was led by Rep. Houston.

INTRODUCTION OF GUESTS

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

I would like to introduce Zachary Hevel who has been accepted in the Air Force Academy graduating class of 2017.

When I met Zach, his response to my question of what inspired him to look in his future as a military pilot was simple. He asked his dad what he had to do to be a part of the best of the best. His dad's response was to study hard.

Here is a prime example of leadership. The example of a family with the goals in mind to lead in a positive direction.

Rep. Dove introduced his family and presented Zach with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2415; SB 245, SB 246.**

Judiciary: **HCR 5019.**

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 20.**

The Senate adopts the Conference Committee report on **HB 2213.**

The Senate adopts the Conference Committee report to agree to disagree on **SB 63,** and has appointed Senators King, Smith and Haley as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2249, HB 2216.**

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2249** 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 6, by inserting:

New Section 1. (a) Except as provided by subsection (b), no city or county shall adopt by ordinance, resolution or in a solid waste management plan under K.S.A. 65-3405 or 65-3410, and amendments thereto, restrictions for any solid waste disposal area within its boundaries if such restrictions supersede or impair the local legislation of another city or county being serviced by the same solid waste disposal area or require another city or county to adopt new solid waste management requirements not currently required by statewide rules and regulations.

(b) A city or county may adopt restrictions for a solid waste disposal area under subsection (a) if:

(1) The city or county owns the solid waste disposal area; or
(2) such restrictions apply to 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.

(c) This section shall be part of and supplemental to the provisions of article 34 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 2. (a) On or before January 1, 2014, the secretary of health and environment shall prepare, with review and input from operators of municipal solid waste landfills, haulers of solid waste, business and residential consumers of haulers of solid waste, cities and counties, a report on solid waste management in Kansas for the senate committee on ethics, elections and local government and the house committee on local government. The report shall include, but not be limited to, the following:

(1) A review of statutes, rules and regulations and policies on solid waste management, including, but not limited to, details on yard waste, recycling, generation

rates, composting, precipitation, source reduction efforts, population, landfill capacity and gas recovery in landfills; and

(2) recommendations for legislative changes and estimates of the cost of the state of implementing such changes.

(b) This section shall be part of and supplemental to the provisions of article 34 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

On page 2, before line 43, by inserting:

Sec. 4. K.S.A. 2012 Supp. 75-2724 is hereby amended to read as follows: 75-2724.

(a) The state or any political subdivision of the state, or any instrumentality thereof, shall not undertake any project which will ~~encroach upon, damage or destroy any historic property included in the national register of historic places or the state register of historic places or the environs of such property~~ until the state historic preservation officer has been given notice, as provided herein, and an opportunity to investigate and comment upon the proposed project. Notice to the state historic preservation officer shall be given by the state or any political subdivision of the state when the proposed project, or any portion thereof, ~~is located within 500 feet of the boundaries of~~ directly involves a historic property ~~located within the corporate limits of a city, or within 1,000 feet of the boundaries of a historic property located in the unincorporated portion of a county.~~ Notwithstanding the notice herein required, nothing in this section shall be interpreted as limiting the authority of the state historic preservation officer to investigate, comment and make the determinations otherwise permitted by this section ~~regardless of the proximity of any proposed project to the boundaries of~~ on a project directly involving a historic property. The state historic preservation officer may solicit the advice and recommendations of the historic sites board of review with respect to such project and may direct that a public hearing or hearings be held thereon. Any ~~such~~ public hearing or hearings held pursuant to this subsection or held pursuant to authority delegated by the state historical preservation officer under subsection (e) or (f) shall be held within 60 days from the date of receipt of notice by the state historical preservation officer from the state or any political subdivision of the state as provided herein. If the state historic preservation officer determines, with or without having been given notice of the proposed project, that ~~such the~~ proposed project will ~~encroach upon, damage or destroy any historic property included in the national register of historic places or the state register of historic places or the environs of such property, such the~~ project shall not proceed until:

(1) The governor, in the case of a project of the state or an instrumentality thereof, or the governing body of the political subdivision, in the case of a project of a political subdivision or an instrumentality thereof, has made a determination, based on a consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use; and

(2) five days notice of such determination has been given, by certified mail, to the state historic preservation officer.

(b) Any person aggrieved by the determination of the governor pursuant to this section may seek review of such determination in accordance with the Kansas judicial review act. Any person aggrieved by the determination of a governing body pursuant to this section may seek review of such determination in accordance with K.S.A. 60-2101, and amendments thereto.

(c) The failure of the state historic preservation officer to initiate an investigation of any proposed project within 30 days from the date of receipt of notice thereof shall constitute such officer's approval of such project.

(d) Failure of any person or entity to apply for and obtain the proper or required building or demolition permit before undertaking a project that will ~~encroach upon~~, damage or destroy any historic property included in the national register of historic places or the state register of historic places, ~~or the environs of such property~~, shall be subject to a civil penalty not to exceed \$25,000 for each violation. The attorney general may seek such penalties and other relief through actions filed in district court.

(e) (1) The state historic preservation officer may enter into an agreement authorizing a city or county to make recommendations or to perform any or all responsibilities of the state historic preservation officer under subsections (a), (b) and (c) if the state historic preservation officer determines that the city or county has enacted a comprehensive local historic preservation ordinance, established a local historic preservation board or commission and is actively engaged in a local historic preservation program. The agreement shall specify the authority delegated to the city or county by the state historic preservation officer, the manner in which the city or county shall report its decisions to the state historic preservation officer, the conditions under which the city or county can request assistance from the state historic preservation officer in performing certain project reviews, the length of time the agreement is to be valid and provisions for termination of the agreement. Such agreement shall provide that the state historic preservation officer shall retain final authority to implement the provisions of this act. The state historic preservation officer shall adopt any rules and regulations necessary to implement the provisions of this subsection.

(2) An agreement with a city or county authorized by this subsection shall not be construed as limiting the authority of the state historic preservation officer to investigate, comment and make determinations otherwise permitted by this section.

(f) The state historic preservation officer may enter into agreements with the state board of regents or any state educational institution under the control and supervision of the state board of regents to perform any or all responsibilities of the state historic preservation officer under subsections (a), (b) and (c).";

And by renumbering sections accordingly;

On page 3, in line 1, by striking "is" and inserting "and 75-2724 are";

On page 1, in the title, by striking all following "concerning"; in line 2, by striking all before the semicolon and inserting "certain property issues; relating to historic preservation, taxation and solid waste"; in line 3, following "12-546" by inserting "and 75-2724"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

DENNIS PYLE

MITCH HOLMES

Conferees on part of Senate

STEVE HUEBERT

TOM PHILLIPS

Conferees on part of House

On motion of Rep. Huebert to adopt the conference committee report on **HB 2249**, Rep. Sloan 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 then reverted back to the original motion of Rep. Huebert and the conference committee report was adopted.

On roll call, the vote was: Yeas 92; Nays 18; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlson, Carpenter, Christmann, Claeys, Clayton, Concannon, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Gonzalez, Grant, Grosserode, Hawkins, Henry, Hibbard, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelley, Kelly, Lunn, Lusk, Macheers, Mast, McPherson, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Ward, Waymaster, Whipple.

Nays: Alcala, Campbell, Corbet, Crum, Dillmore, Henderson, Highland, Kinzer, Kuether, Lane, Meier, Peterson, Ruiz, Schroeder, Tietze, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlin, Cassidy, Goico, Hedke, Hermanson, Johnson, Kleeb, Meigs, Moxley, Osterman, Rubin, Suellentrop, Victors, Weber, Wolfe Moore.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. DeGraaf, the House nonconcurred in Senate amendments to **HB 2216** and asked for a conference.

Speaker Merrick thereupon appointed Reps. DeGraaf, Howell and Lane as conferees on the part of the House.

REPORT OF STANDING COMMITTEE

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

Request No. 110, by Representative Trimmer, congratulating Sam Maurer, Emporia State Debate Coach, in recognition for coaching the national championship team of the Cross Examination Debate Association and the National Debate Tournament;

Request No. 111, by Representative Gonzales, commending Tegan Bowers on achieving the rank of Eagle Scout;

Request No. 112, by Representative Goico, commending Tyler Hansel on achieving the rank of Eagle Scout;

Request No. 113, by Representative Meigs, congratulating Justin Leaton and Amber Westbrook on their wedding day;

Request No. 114, by Representatives Thimesh and Christmann, congratulating the Sterling Warriors Baseball Team, Coaches and Athletic Director on advancing to the NAIA World Series, the first time ANY college in the KCAC has ever made it to the NAIA World Series;

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. Vickrey, the committee report was adopted

REPORT ON ENROLLED RESOLUTIONS

HCR 5018, HR 6031 reported correctly enrolled and properly signed on May 17, 2013.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Monday, May 20, 2013.

Journal of the House

SIXTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 20, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 104 members present.

Rep. Dillmore was excused on verified illness.

Reps. Brunk, Carlin, Christmann, Edwards, Goico, Hermanson, Huebert, Kelley, Kleeb, Montgomery, Osterman, Peterson, Rubin, Schwab, Schwartz, Seiwert, Shultz, Sloan, Thimesch and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
It is that time of the year
when we watch and observe
the majestic display of Your creation
through the Spring thunderstorms.
And, because the storms sometimes come
with disastrous results,
I want to thank You for Your protection over the lives of our
great citizens across this state this past weekend.
We come to session today because of what
some have called a standstill.
My prayer is that You will bring together
all the available instruments and fine tune them into harmony,
creating a symphony which will be pleasant upon the ears of all.
To do this, the motives and decisions must focus
more on pleasing You rather than attempting to please the world.
It is in Your Son's Name I pray for Your will to be accomplished.
Amen.

The Pledge of Allegiance was led by Rep. Lane.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2162**.

The President announced the appointment of Senators Masterson, Denning and Kelly to replace Senators Abrams, Arpke and Henseley as members of the conference committee on **SB 171**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6033—

A RESOLUTION congratulating Sumner Academy of Arts and Science on being ranked the #1 academic high school in Kansas.

WHEREAS, Sumner Academy of Arts and Science has been ranked the "best high school" in Kansas, and the "most challenging high school" in the state; and

WHEREAS, These rankings were announced this week by two renowned ratings programs that measure how well high schools prepare students for college, and student performance on Advanced Placement, International Baccalaureate tests and state-mandated assessments, among other elements; and

WHEREAS, Sumner Academy's mission statement is: Sumner Academy of Arts and Science is an International Baccalaureate World School that creates a culture of global thinking, which serves students beyond the classroom by developing knowledgeable, inquiring and caring young people; and

WHEREAS, Sumner High School, which was founded in 1905, operated through the spring of 1978. Because of the success of many of its graduates, Sumner High School became known nationally as one of the premier high schools academically for African Americans. The school reopened in Fall of 1978 under the new name of Sumner Academy of Arts and Science; and

WHEREAS, Sumner Academy was admitted into the International Baccalaureate network in 1987. Juniors and seniors who participate in the IB program of studies develop essential thinking and communication skills as they engage in university-level coursework at the high school level; and

WHEREAS, The *Washington Post*, as part of its "America's Most Challenging High Schools," gave Sumner a 72.00 percent rating for equity and excellence, and ranked it number one in Kansas. Sumner has a 99 percent graduation rate and 69 percent of its graduates go on to attend four-year colleges. On a regional level, the *Washington Post* ranked Sumner #19 in the Midwest; and

WHEREAS, *U.S. News and World Report*, as part of its 2013 Best High Schools rating system, named Sumner Academy the top-ranked high school in Kansas. In the nation, the school was ranked 64 out of 21,000 public high schools. These rankings are based on the number of advanced placement tests taken as well as student performance on these exams, and

WHEREAS, Sumner Academy of Arts and Science has provided over three decades of exemplary academic scholarship. The school continues the legacy that was known nationally and internationally as a premier academy for advanced academics and continues to stand as a model of academic excellence for all students in Kansas City, Kansas, the state of Kansas and the nation: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate Sumner Academy of Arts and Science on these remarkable state and national rankings. The children of our state are our future, and we celebrate great education in Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide ten enrolled copies of this resolution to Representative Winn.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2213**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2213** 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, by striking all in lines 12 through 43;

By striking all on pages 11 through 14 and inserting:

"Sec. 3. K.S.A. 74-4958 is hereby amended to read as follows: 74-4958. (1) Any member who retires on or after July 1, 1993, shall be entitled to receive an age and service retirement benefit equal to 2.5% of such member's final average salary multiplied by the number of years of credited service for which the member contributed at the contribution rate prescribed by subsection (1) of K.S.A. 74-4965, and amendments thereto, or for which such member made a lump sum repayment in accordance with the provisions of K.S.A. 74-4965, and amendments thereto, except that in no case shall such retirement benefit exceed ~~80%~~ 90% of such member's final average salary.

(2) Any member who is appointed or employed prior to July 1, 1989, who does not make an election pursuant to K.S.A. 74-4955a, and amendments thereto, and who retires before such member's normal retirement date shall receive an early retirement benefit equal to the annual retirement benefit payable had the member retired on the normal retirement date reduced by an amount equal to the product of (A) such annual retirement benefit payable had the member retired on the normal retirement date, multiplied by (B) the product of ~~4%~~ 0.4% multiplied by the number of months difference, to the nearest whole month, between the member's attained age at the time of retirement and age 55.

(3) Upon the death after retirement of a member who was covered, up to the entry date of the member's employer, by a pension system under the provisions of K.S.A. 12-5001 to 12-5007, inclusive, and amendments thereto, or K.S.A. 13-14a01 to 13-14a14, inclusive, and amendments thereto, or K.S.A. 14-10a01 to 14-10a15, inclusive, and amendments thereto, and who had not elected to retire under one of the options provided under K.S.A. 74-4964, and amendments thereto, the member's spouse, if such spouse was the member's lawfully wedded spouse for a period of not less than one year at the time of the member's retirement or if such spouse had been the member's lawfully wedded spouse for at least three years after the time of the member's retirement, shall receive: (A) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, a lump-sum benefit equal to $\frac{1}{2}$ the member's final average salary at the time of the member's retirement; and (B) an annual spouse's benefit equal to 75% of the member's retirement benefit payable in monthly installments, to accrue from the last day of the month following the member's date of death and ending on the last day of the month in which the spouse dies. Commencing on the effective date of this act, any surviving

spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act. If there is no surviving spouse, or if after the death of the spouse there remain one or more children under the age of 18 years or one or more children under the age of 23 years who is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto, the spouse's benefit shall be payable, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act. All payments due under this section to a minor shall be made to a legally appointed conservator of such minor as provided in subsection (7) of K.S.A. 74-4902, and amendments thereto. No person shall be entitled to receive more than one benefit under the provisions of this subsection. Any person who otherwise meets the qualifications to receive more than one benefit under this subsection shall elect the benefit such person shall receive.

(4) Upon the death after retirement of a member who had not elected to retire under one of the options provided under K.S.A. 74-4964, and amendments thereto, such member's beneficiary shall receive an amount equal to the excess, if any, of such member's accumulated contributions over the sum of all retirement benefit payments made.

(5) The provisions of law in effect on the retirement date of a member under the system shall govern the retirement benefit payable to the retirant, any joint annuitant and any beneficiary.

Sec. 4. K.S.A. 74-4958a is hereby amended to read as follows: 74-4958a. (1) Any member who retires on or after July 1, 1993, shall be entitled to receive an age and service retirement benefit equal to 2.5% of such member's final average salary multiplied by the number of years of credited service for which the member contributed at the contribution rate prescribed by subsection (1) of K.S.A. 74-4965, and amendments thereto, or for which such member made a lump sum repayment in accordance with the provisions of K.S.A. 74-4965, and amendments thereto, except that in no case shall such retirement benefit exceed ~~80%~~ 90% of such member's final average salary.

(2) Any member who retires before such member's normal retirement date shall receive an early retirement benefit equal to the annual retirement benefit payable had the member retired on the normal retirement date reduced by an amount equal to the product of (A) such annual retirement benefit payable had the member retired on the normal retirement date, multiplied by (B) the product of ~~4%~~ 0.4% multiplied by the number of months difference, to the nearest whole month, between the member's

attained age at the time of retirement and age 55.

(3) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, upon the death after retirement of a member who was covered, up to the entry date of the member's employer, by a pension system under the provisions of K.S.A. 12-5001 to 12-5007, inclusive, and amendments thereto, or K.S.A. 13-14a01 to 13-14a14, inclusive, and amendments thereto, or K.S.A. 14-10a01 to 14-10a15, inclusive, and amendments thereto, and who had not elected to retire under one of the options provided under K.S.A. 74-4964, and amendments thereto, the member's spouse, if such spouse was the member's lawfully wedded spouse for a period of not less than one year at the time of the member's retirement or if such spouse had been the member's lawfully wedded spouse for at least three years after the time of the member's retirement, shall receive: (A) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, a lump-sum benefit equal to $\frac{1}{2}$ the member's final average salary at the time of the member's retirement; and (B) an annual spouse's benefit equal to 75% of the member's retirement benefit payable in monthly installments, to accrue from the first day of the month following the member's date of death and ending on the last day of the month in which the spouse dies. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act. If there is no surviving spouse, or if after the death of the spouse there remain one or more children under the age of 18 years or one or more children under the age of 23 years who is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto, the spouse's benefit shall be payable, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act. All payments due under this section to a minor shall be made to a legally appointed conservator of such minor as provided in subsection (7) of K.S.A. 74-4902, and amendments thereto. No person shall be entitled to receive more than one benefit under the provisions of this subsection. Any person who otherwise meets the qualifications to receive more than one benefit under this subsection shall elect the benefit such person shall receive.

(4) Upon the death after retirement of a member who had not elected to retire under one of the options provided under K.S.A. 74-4964, and amendments thereto, such member's beneficiary shall receive an amount equal to the excess, if any, of such member's accumulated contributions over the sum of all retirement benefit payments made.

(5) The provisions of this section shall be effective on and after July 1, 1989, and

shall apply only to members who were appointed or employed prior to July 1, 1989, and who made an election pursuant to K.S.A. 74-4955a, and amendments thereto; and persons appointed or employed on or after July 1, 1989.

(6) The provisions of law in effect on the retirement date of a member under the system shall govern the retirement benefit payable to the retirant, any joint annuitant and any beneficiary.

Sec. 5. K.S.A. 74-4965 is hereby amended to read as follows: 74-4965. (1) ~~Except as otherwise provided in this section Commencing with the first payroll period beginning on or after July 1, 2013, each participating employer shall, beginning with the first payroll period for services performed after the entry date, deduct from the compensation of each member 7% 7.15% of such member's compensation as employee contributions, except that in the case of a member whose employment is covered by social security and the member is a member of the class certified in the case of Brazelton v. Kansas public employees retirement system, 227 K. 443, 607 P.2d 510 (1980), the deduction from such member's compensation shall be reduced by the amount of such member's contributions to social security. For participating employers who join the system on or after July 1, 2013, such deduction shall commence beginning with the first payroll period for services performed after the entry date.~~

(2) For any member other than a member who is a member of the class certified in the case of Brazelton v. Kansas public employees retirement system, 227 K. 443, 607 P.2d 510 (1980), no employee contributions shall be reduced because of contributions to social security.

(3) All such deductions shall be remitted quarterly, or as the board may otherwise provide, to the executive director for credit to the Kansas public employees retirement fund and shall be credited to the members' individual accounts. Interest on each member's accumulated contributions at the rate determined under subsection (a) of K.S.A. 74-4922, and amendments thereto, shall be added annually to the member's individual account.

(4) ~~For all payroll periods commencing on or after the effective date of this act, each participating employer shall deduct from the compensation of each member who has received 32 years of credited service, 2% of such member's compensation as employee contributions. For each member that is having 2% of such member's compensation deducted as employee contributions on July 1, 2013, for all payroll periods commencing on or after July 1, 2013, the participating employer shall deduct from the compensation of each such member 7.15% of such member's compensation as employee contributions. Such member may repay in a lump sum prior to or on such member's date of retirement, an amount equal to the difference between contributions actually made by the member and contributions which would have been made had such member always been contributing at the employee contribution rate prescribed by subsection (1) for all such service earned during the period of time the member made contributions at the 2% employee contribution rate, with interest. Such repayment, if made at retirement, may be deducted from the proceeds of the partial lump sum retirement options as prescribed in subsection (5)(G) of K.S.A. 74-4964, and amendments thereto, in the event the member elects such option. Such member shall pay the actual amount plus interest at a rate specified by the board. Any member who makes such a payment shall be entitled to service credit for purposes of calculation of retirement benefits pursuant to the provisions of K.S.A. 74-4958 and 74-4958a, and~~

amendments thereto, for all years of service wherein such member contributed at the employee contribution rate prescribed by subsection (1), including all years of service such member previously paid at the 2% employee contribution rate but prior to or on such member's date of retirement repaid the difference pursuant to this subsection.

(5) (a) 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, shall pick up and pay the contributions which would otherwise be payable by members as prescribed in subsection (1) ~~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.

(b) 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 the system.

(c) Member contributions picked up by the employer shall be remitted quarterly, or as the board may otherwise provide, to the executive director 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. 6. K.S.A. 2012 Supp. 74-49,135 is hereby amended to read as follows: 74-49,135. (a) The provisions of this section and any related provisions shall not be implemented until the board of trustees of the Kansas public employees retirement system has obtained approval for the election and related provisions specified in this section from the federal internal revenue service. The board may implement the remainder of this act prior to implementation of this section. To that end, this section and provisions related thereto are severable from the remainder of this act and shall be repealed if the federal internal revenue service refuses to grant such approval or issues an adverse decision.

(b) Except as otherwise provided in this act, a member of the system under the provisions of K.S.A. 74-4901 et seq., and amendments thereto, on July 1, 2013, may elect to: (1) Contribute, commencing January 1, 2014, 5% of such member's compensation as employee contributions, and commencing January 1, 2015, and in each subsequent calendar year, 6% of such member's compensation as employee contributions, and to receive an amount for participating service equal to the total of 1.85% of such member's final average salary; or (2) continue to contribute 4% of such member's compensation as employee contributions, and to receive an amount for participating service equal to the total of 1.4% of such member's final average salary. Members shall make such election within a 90-day period established by the board.

(c) (1) Elections made pursuant to this section shall be made on a form and in a manner prescribed by the board.

(2) A member failing to make an election pursuant to subsection (b) shall contribute, commencing January 1, 2014, 5% of such member's compensation as employee contributions, and commencing January 1, 2015, and in each subsequent year,

6% of such member's compensation as employee contributions, and shall receive an amount for participating service equal to the total of 1.85% of the member's final average salary.

(3) An election under this section, including the default election pursuant to subsection ~~(d)(2)~~ (c)(2), is a one-time irrevocable election.";

And by renumbering sections accordingly;

On page 20, in line 10, by striking "2012 Supp."; also in line 10, by striking "74-4915, 74-4919," and inserting "74-4958, 74-4958a and 74-4965 and K.S.A. 2012 Supp.";

On page 1, in the title, in line 3, after the first semicolon by inserting "maximum retirement benefits; employee contributions;"; also in line 3, by striking all after "elections;"; in line 4, by striking all before "retirement"; in line 5, by striking "2012 Supp."; also in line 5, by striking "74-"; in line 6, by striking "4915, 74-4919," and inserting "74-4958, 74-4958a and 74-4965 and K.S.A. 2012 Supp.";

And your committee on conference recommends the adoption of this report.

JEFF KING

TY MASTERSON

LAURA KELLY

Conferees on part of Senate

STEVEN JOHNSON

JIM HOWELL

KATHY WOLFE MOORE

Conferees on part of House

On motion of Rep. Johnson, the conference committee report on **HB 2213** was adopted.

On roll call, the vote was: Yeas 104; Nays 0; Present but not voting: 0; Absent or not voting: 21.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Siegfried, Sloop, Suellentrop, Sutton, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brunk, Carlin, Christmann, Dillmore, Edwards, Goico, Hermanson, Huebert, Kelley, Kleeb, Montgomery, Osterman, Peterson, Rubin, Schwab, Schwartz, Seiwert, Shultz, Sloan, Thimesch, Weber.

REPORT ON ENGROSSED BILLS

HB 2249 reported correctly re-engrossed May 17, 2013.

REPORT ON ENROLLED BILLS

HB 2015, HB 2081, HB 2115, HB 2120, HB 2204, HB 2218, HB 2261 reported correctly enrolled, properly signed and presented to the Governor on May 17, 2013.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Tuesday, May 21, 2013.

Journal of the House

SIXTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 21, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 111 members present.

Rep. Osterman was excused on verified illness.

Reps. Christmann, Frownfelter, Goico, Hermanson, Kleeb, Peterson, Rubin, Sawyer, Schwab, Schwartz, Sloan, Weber and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of compassion and comfort,
as we begin today, we come before you in a moment of silence
remembering those lives that have been lost,
and praying for those whose lives have been altered
in our neighboring state of Oklahoma.
It is in times like this that we are reminded
of how important it is to have the right priorities.
Today as You lead and guide the various discussions,
conversations, explanations, debate and questions,
help us to be mindful of those things that really matter –
and to remember when it is all said and done,
the only thing You require is that
we do what is fair and just to our neighbor,
be compassionate and loyal in our love,
and not take ourselves too seriously –
but to take You very seriously.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Kuether.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2216** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Howell, **HR 6032**, A RESOLUTION congratulating Wichita State University Athletics on their successful year in sports, was adopted.

There being no objection, the following remarks of Rep. Howell are spread upon the journal:

Today, I am privileged to honor and celebrate the Wichita State Shockers for their OUTSTANDING sports performance this last year! WSU represents the State of Kansas very well and makes those of us that consider ourselves Shockers and enjoy supporting the great Black and Gold Shocker “spirit of excellence” extremely proud of their accomplishments! We are thrilled to have them in our community and we wish them continued success as they work hard to make Kansas the best state in the Country! WSU is a serious contender for every competition but this year is absolutely remarkable and noteworthy! It is time to recognize their accomplishments.

Wichita State University won the Missouri Valley Conference All Sports Trophy again this year!

This is the 19th time they have won this high honor including 7 of the last 10 years. Many people follow the Shocker Basketball and baseball excitement, but this year, under the direction of Eric Sexton, WSU finished in the top three in 14 of the 15 sports including conference titles in Men’s Golf, Women’s Indoor Track and Field, Women’s Tennis, Women’s Basketball, and runner up in 8 more sports.

WSU remains near the top of the valley standing in just about every sport in which they compete.

Congratulations to the Shockers for the best all-around athletic department in the conference!

Rep. Howell presented Andrew J. Schlapp, Executive Director of Government Relations and Board of Trustees, Wichita State University, with a framed House certificate.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Winn, **HR 6033**, A RESOLUTION congratulating Sumner Academy of Arts and Science on being ranked the #1 academic high school in Kansas, was adopted.

There being no objection, the following remarks of Rep. Winn are spread upon the journal:

On behalf of the Wyandotte County delegation I have the distinct honor today of recognizing Sumner Academy of Arts and Science (USD 500-Kansas City, Kansas) for being ranking #1 academically in the State of Kansas and specifically being designated as the “best high school” in Kansas and the “most challenging high school in the state”. I would like to welcome to the Kansas House of Representatives Vice-Principal of Sumner, Ms. Kristian Foster and Mr. David Smith, Chief of Staff for Superintendent Ms. Cindy Lane.

Sumner Academy of Arts and Science received #1 ranking in the state by two renowned ranking programs that measure how well high schools prepare students for

college and student performance on Advanced Placement, International Baccalaureate tests and state-mandated assessments, among other elements.

The Washington Post conducts a national rating programs and as part of its “America’s Most Challenging High Schools” gave Sumner Academy a 72% rating for equity and excellence and ranked it No. 1 in Kansas.

Sumner has a 99% graduation rate and 69% of its graduates go on to attend 4-year colleges. On the regional level, *The Washington Post* ranked Sumner #19 in the Midwest.

U.S. News and World Report also conducts a national rating program. As part of its 2013 Best High Schools rating system the *U.S. News and World Report* also gave Sumner Academy No. 1 ranking in the State of Kansas. In the nation, the *U.S. News and World Report* ranked Sumner #64 out of 21, 000 public high schools. These rankings are based on the number of advanced placement tests taken, as well as, student performance on these exams.

Gene Fite, Principal of Sumner Academy was quoted as saying. “Their focus and hard work, with the aid of an excellent teaching staff, again demonstrated that children in KCK are the equal of anyone anywhere.”

We stand here today to tell the students, parents and staff of Sumner Academy that we are very proud of this accomplishment. We also remind them that they are continuing the legacy of academic excellence of graduates from past decades when Sumner Academy was Sumner High School. The list of outstanding alumni from Sumner High School is much too numerous to identify but include individuals like Beckwith Horton, who holds the patent to the seat belt; Vernon Coffey, who served as Presidential Aide to Richard Nixon, Delano Lewis, who served as U.S. Ambassador to South Africa; and Lillian Ann Owens, who was the 1st African American female to become President of a national life insurance company, north of the Mason-Dixon Line.

Again we congratulate Sumner Academy of Arts and Science, (USD 500, Kansas City, Kansas) for being ranked the #1 academic high school in Kansas for 2013.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2162**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2162** 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 5 through 30;

On page 2, by striking all in lines 1 through 39 and inserting the following:

"Section 1. (a) No portion of any money appropriated by the state legislature shall be used, other than for normal and recognized executive and legislative relationships, for:

(1) Publicity or propaganda purposes relating to gun control; or

(2) preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television or video presentation designed to support or

defeat:

(A) The enactment of legislation before the federal government, state legislature or a local government legislative body relating to gun control; or

(B) any proposed or pending regulation, administrative action or order issued by the federal government, any state agency or local government relating to gun control.

(b) No portion of any appropriation shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting on behalf of such recipient, related to any activity designed to influence the enactment of legislation, an appropriation, a regulation, an administrative action, or an executive order proposed or pending before the federal government, Kansas legislature or local government legislative body relating to gun control.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future:

(1) Federal, state or local tax increase relating to gun control; or

(2) requirement or restriction on any legal consumer product, including its sale or marketing, relating to gun control.";

On page 1, in the title, in line 1, by striking all after "the"; in line 2, by striking "statements" and inserting "use of state appropriated moneys";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

DAVID HALEY

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2162** was adopted.

On roll call, the vote was: Yeas 83; Nays 28; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henry, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Whipple.

Nays: Ballard, Becker, Bollier, Bridges, Carlin, Clayton, Dierks, Dillmore, Finney, Henderson, Hill, Hineman, Houston, Hutton, Kuether, Lusk, Menghini, Perry, Rooker, Ruiz, Sloop, Swanson, Tietze, Victors, Ward, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Christmann, Frownfelter, Goico, Hermanson, Kleeb, Osterman, Peterson, Rubin, Sawyer, Schwab, Schwartz, Sloan, Weber, Wilson.

EXPLANATION OF VOTE

MR. SPEAKER: Politics is the marketplace of ideas. That's what we do in this building. We weigh and consider alternative points of view in order to craft the best public policy. This proposal is not about second amendment rights; it is about first amendment rights, and it proposes to place artificial impediments in the path of the free and open exchange of ideas. I vote no on the CCR on **HB 2162**. — DON HINEMAN, MELISSA ROOKER, STEVEN R. BECKER, EMILY PERRY, DON HILL, STEPHANIE CLAYTON, BARBARA BOLLIER

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. Rhoades, Suellentrop and Henry as members of the conference committee on **SB 171** to replace Reps. Cassidy, Grosserode and Winn.

Also, the appointment of Rep. Siegfried as a member of the conference committee on **HB 2059** to replace Rep. Schwab.

Also, the appointment of Rep. Siegfried as a member of the conference committee on **H Sub for SB 84** to replace Rep. Schwab.

REPORT ON ENGROSSED BILLS

HB 2213 reported correctly re-engrossed May 21, 2013.

On motion of Rep. Vickrey, the House adjourned until 2:00 p.m, Wednesday, May 22, 2013.

Journal of the House

SIXTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 22, 2013, 2:00 p.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 112 members present.

Rep. Osterman was excused on verified illness.

Reps. Alcalá, Christmann, Goico, Hawkins, Hermanson, Johnson, Kleeb, Rubin, Sawyer, Schwab, Sloan and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord, God,
Today I ask for Your mercy
upon the efforts of our leaders to follow You
in righteousness and humility.
I ask for Your mercy to help them with
self-denial, steadfastness and courage
to make the decisions they must.
Give them a pure heart that they may see You;
a humble heart that they may hear You;
a heart of love that they may serve You and others;
a heart of faith that they may live for You.
Thank You for the wonderful privilege, yet responsibility,
to serve in their capacity of leadership.
Guide them in all their ways,
in Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Wolfe Moore.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2199**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to House Rule 2307, the following bill, appearing on the Consent Calendar, was stricken from the Calendar:

Sub SB 70.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2199** 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 6 through 36;

By striking all on pages 2 and 3 and inserting:

"New Section 1. (a) Notwithstanding the provisions of either the Kansas administrative procedure act, and amendments thereto, or any rule and regulation adopted pursuant to the Kansas liquor control act, and amendments thereto, governing the issuance of any written administrative notice or order concerning the imposition of any proposed civil fine or other penalty to be imposed for a violation of any of the provisions of the Kansas liquor control act, K.S.A. 41-101 et seq., and amendments thereto, such notice or order shall be issued no later than 90 days after the date a citation for such violation was issued.

(b) This section shall be part of and supplemental to the provisions of the Kansas liquor control act, K.S.A. 41-101 et seq., and amendments thereto.

New Sec. 2. (a) Notwithstanding the provisions of either the Kansas administrative procedure act, and amendments thereto, or any rule and regulation adopted pursuant to the club and drinking establishment act, and amendments thereto, governing the issuance of any written administrative notice or order concerning the imposition of any proposed civil fine or other penalty to be imposed for a violation of any of the provisions of the club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto, such notice or order shall be issued no later than 90 days after the date a citation for such violation was issued.

(b) This section shall be part of and supplemental to the provisions of the Kansas club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto.

Sec. 3. K.S.A. 2012 Supp. 41-104 is hereby amended to read as follows: 41-104. No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish or possess any alcoholic liquor for beverage purposes, except as specifically provided in this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, except that nothing contained in this act shall prevent:

(a) The possession and transportation of alcoholic liquor for the personal use of the possessor, the possessor's family and guests except that the provisions of K.S.A. 41-407, and amendments thereto, shall be applicable to all persons;

(b) the making of wine, cider or beer by a person from fruits, vegetables or grains, or the product thereof, by simple fermentation and without distillation, if it is made solely for the use of the maker and the maker's family;

(c) any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of the medical or dental profession;

(d) any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or institution;

(e) any drugstore employing a licensed pharmacist from possessing and using

alcoholic liquor in the compounding of prescriptions of duly licensed physicians;

(f) the possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church; ~~or~~

(g) the sale of wine to a consumer in this state by a person which holds a valid license authorizing the manufacture of wine in this or another state and the shipment of such wine directly to such consumer, subject to the following: (1) The consumer must be at least 21 years of age; (2) the consumer must purchase the wine while physically present on the premises of the wine manufacturer; (3) the wine must be for the consumer's personal consumption and not for resale; and (4) the consumer shall comply with the provisions of K.S.A. 41-407, and amendments thereto, by payment of all applicable taxes within such time after purchase of the wine as prescribed by rules and regulations adopted by the secretary; ~~or~~

(h) the serving of complimentary alcoholic liquor or cereal malt beverages at fund raising activities of charitable organizations as defined by K.S.A. 17-1760, and amendments thereto, and as qualified pursuant to 26 U.S.C.A. § 501(c) and by committees formed pursuant to K.S.A. 25-4142 et seq., and amendments thereto. The serving of such alcoholic liquor at such fund raising activities shall not constitute a sale pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto. Any such fund raising activity shall not be required to obtain a license or a temporary permit pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto; ~~or~~

(i) the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the governing body of the city, county or township wherein the event will take place and whereby the director of the alcoholic beverage control has been notified thereof no less than 10 days in advance.

Sec. 4. K.S.A. 2012 Supp. 41-308d is hereby amended to read as follows: 41-308d. (a) Notwithstanding any other provisions of the Kansas liquor control act to the contrary, any person or entity who is licensed to sell alcoholic liquor in the original package at retail may conduct wine, beer and distilled spirit tastings on the licensed premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, as follows:

(1) Wine, beer and spirits for the tastings shall come from the inventory of the licensee. Except as provided by paragraph (2), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(2) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a retail licensee's premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch, or pour alcoholic beverages, make a presentation, or answer questions at the tasting. Any alcoholic beverage tasted under this subsection must be purchased from the retailer on whose premises the tasting is held. The retailer may not require the purchase of more alcoholic beverages than are necessary for the tasting. This section does not authorize the supplier or its agent to

withdraw or purchase an alcoholic beverage from the holder of a distributor's permit or provide an alcoholic beverage for tasting on a retailer's premises that is not purchased from the retailer.

(3) No charge of any sort may be made for a sample serving.

(4) A person may be served more than one sample. Samples may not be served to a minor. No samples may be removed from the licensed premises.

(5) The act of providing samples to consumers shall be exempt from the requirement of holding a Kansas food service dealer license from the department of agriculture under the provisions of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(b) Nothing in this section shall be construed to permit the licensee to sell wine, malt beverages or distilled spirits for on-premises consumption.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(d) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(e) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 5. K.S.A. 2012 Supp. 41-354 is hereby amended to read as follows: 41-354.

(a) A microdistillery license shall allow:

(1) The manufacture of not more than 50,000 gallons of spirits per year and the storage thereof;

(2) the sale to spirit distributors of spirits, manufactured by the licensee;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of spirits 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 spirits manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of spirits and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of spirits and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microdistillery licensee, the director may issue not to exceed one microdistillery packaging and warehousing facility license to the microdistillery licensee. A microdistillery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microdistillery to the licensed premises of the microdistillery packaging and warehousing facility, of spirits manufactured by the licensee, for the purpose of packaging or storage, or both;

(2) the transfer, from the licensed premises of the microdistillery packaging and warehousing facility to the licensed premises of the microdistillery, of spirits manufactured by the licensee; or

(3) the removal from the licensed premises of the microdistillery packaging and warehousing facility of spirits manufactured by the licensee for the purpose of delivery to a licensed spirits wholesaler.

(c) A microdistillery may sell spirits 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 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microdistillery may serve samples of spirits and serve and sell spirits 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.

(d) The director may issue to the Kansas state fair or any bona fide group of distillers a permit to import into this state small quantities of spirits. Such spirits shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such spirits 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 spirit to be imported, the quantity to be imported, the tasting programs for which the spirit is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of spirits pursuant to this subsection and the conduct of tasting programs for which such spirits are imported.

(e) A microdistillery license or microdistillery packaging and warehousing facility 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.

(f) No microdistillery 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-premises 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.

(g) Whenever a microdistillery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

(h) The provisions of this section shall take effect and be in force from and after July 1, 2012.

(i) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(j) This section shall be a part of and supplemental to the Kansas liquor control act. Sec. 6. K.S.A. 41-713 is hereby amended to read as follows: 41-713. (a) It shall be unlawful for a retailer of alcoholic liquor:

(1) To permit any person to mix drinks in or on the licensed premises, except as provided in subsection (b);

(2) to employ any person under the age of ~~twenty-one (21)~~ 21 years in connection

with the operation of such retail establishment; or

(3) to employ any person in connection with the operation of such retail establishment who has been adjudged guilty of a felony.

(b) The provisions of subsection (a)(1) shall not apply to the preparation or mixing of samples for the purposes of conducting wine, beer or distilled spirit tastings, or any combination thereof, as authorized by K.S.A. 2012 Supp. 41-308d, and amendments thereto.

Sec. 7. K.S.A. 2012 Supp. 41-2601 is hereby amended to read as follows: 41-2601. As used in the club and drinking establishment act:

(a) The following terms shall have the meanings provided by K.S.A. 41-102, and amendments thereto: (1) "Alcoholic liquor"; (2) "director"; (3) "original package"; (4) "person"; (5) "sale"; and (6) "to sell."

(b) "Beneficial interest" shall not include any interest a person may have as owner, operator, lessee or franchise holder of a licensed hotel or motel on the premises of which a club or drinking establishment is located.

(c) "Caterer" means an individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit, selling alcoholic liquor in accordance with the terms of such permit.

(d) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.

(e) "Class A club" means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the director, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members) and their families and guests accompanying them.

(f) "Class B club" means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(g) "Club" means a class A or class B club.

(h) "Drinking establishment" means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. Drinking establishment includes a railway car.

(i) "Food" means any raw, cooked or processed edible substance or ingredient, other than alcoholic liquor or cereal malt beverage, used or intended for use or for sale, in whole or in part, for human consumption.

(j) "Food service establishment" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(k) "Hotel" has the meaning provided by K.S.A. 36-501, and amendments thereto.

(l) "Individual drink" means a beverage containing alcoholic liquor or cereal malt beverage served to an individual for consumption by such individual or another individual, but which is not intended to be consumed by two or more individuals. The term "individual drink" includes beverages containing not more than: (1) Eight ounces of wine; (2) thirty-two ounces of beer or cereal malt beverage; or (3) four ounces of a single spirit or a combination of spirits.

(m) "Minibar" means a closed cabinet, whether nonrefrigerated or wholly or partially refrigerated, access to the interior of which is restricted by means of a locking

device which requires the use of a key, magnetic card or similar device.

(n) "Minor" means a person under 21 years of age.

(o) "Morals charge" means a charge involving prostitution; procuring any person; soliciting of a child under 18 years of age for any immoral act involving sex; possession or sale of narcotics, marijuana, amphetamines or barbiturates; rape; incest; gambling; illegal cohabitation; adultery; bigamy; or a crime against nature.

(p) "Municipal corporation" means the governing body of any county or city.

(q) "Public venue" means an arena, stadium, hall or theater, used primarily for athletic or sporting events, live concerts, live theatrical productions or similar seasonal entertainment events, not operated on a daily basis, and containing:

(1) Not less than 4,000 permanent seats; and

(2) not less than two private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier.

(r) "Railway car" means a locomotive drawn conveyance used for the transportation and accommodation of human passengers that is confined to a fixed rail route and which derives from sales of food for consumption on the railway car not less than 30% of its gross receipts from all sales of food and beverages in a 12-month period.

(s) "Restaurant" means:

(1) In the case of a club, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed club premises not less than 50% of its gross receipts from all sales of food and beverages on such premises in a 12-month period;

(2) in the case of a drinking establishment subject to a food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed drinking establishment premises not less than 30% of its gross receipts from all sales of food and beverages on such premises in a 12-month period; and

(3) in the case of a drinking establishment subject to no food sales requirement under K.S.A. 41-2642, and amendments thereto, a licensed food service establishment.

(t) "RV resort" means premises where a place to park recreational vehicles, as defined in K.S.A. 75-1212, and amendments thereto, is offered for pay, primarily to transient guests, for overnight or longer use while such recreational vehicles are used as sleeping or living accommodations.

(u) "Sample" means a serving of alcoholic liquor which contains not more than: (1) One-half ounce of distilled spirits; (2) one ounce of wine; or (3) two ounces of beer or cereal malt beverage. A sample of a mixed alcoholic beverage shall contain not more than one-half ounce of distilled spirits.

~~(v)~~ (v) "Secretary" means the secretary of revenue.

~~(w)~~ (w) "Temporary permit" means a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto.

Sec. 8. K.S.A. 41-2610 is hereby amended to read as follows: 41-2610. It shall be unlawful for any licensee or holder of a temporary permit under this act to:

(a) Employ any person under the age of 18 years in connection with the serving of alcoholic liquor.

(b) Employ knowingly or continue in employment any person in connection with

the dispensing or serving of alcoholic liquor or the mixing of drinks containing alcoholic liquor who has been adjudged guilty of a felony or of any crime involving a morals charge in this or any other state, or of the United States.

~~(c) Employ knowingly or to continue in employment any person in connection with the dispensing or serving of alcoholic liquor or mixing of drinks containing alcoholic liquor who has been adjudged guilty of a violation of any intoxicating liquor law of this or any other state, or of the United States, during the two-year period immediately following such adjudging. Knowingly employ or continue to employ any person in connection with the dispensing or serving of alcoholic liquor, or the mixing of drinks containing alcoholic liquor, who has been adjudged guilty of two or more violations of K.S.A. 2012 Supp. 21-5607, and amendments thereto, furnishing alcoholic liquor to minors or a similar law of any other state, or of the United States, pertaining to furnishing alcoholic liquor to minors within the immediately preceding five years, or who has been adjudged guilty of three or more violations of any intoxicating liquor law of this or any other state, or of the United States, not involving the furnishing of alcoholic liquor to minors within the immediately preceding five years.~~

(d) In the case of a club, fail to maintain at the licensed premises a current list of all members and their residence addresses or refuse to allow the director, any of the director's authorized agents or any law enforcement officer to inspect such list.

(e) Purchase alcoholic liquor from any person except from a person authorized by law to sell such alcoholic liquor to such licensee or permit holder.

(f) Permit any employee of the licensee or permit holder who is under the age of 21 years to work on premises where alcoholic liquor is sold by such licensee or permit holder at any time when not under the on-premises supervision of either the licensee or permit holder, or an employee who is 21 years of age or over.

(g) Employ any person under 21 years of age in connection with the mixing or dispensing of drinks containing alcoholic liquor.

Sec. 9. K.S.A. 2012 Supp. 41-2637 is hereby amended to read as follows: 41-2637.

(a) A license for a class A club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members and their families, and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge for consumption by members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 10. K.S.A. 2012 Supp. 41-2640 is hereby amended to read as follows: 41-2640. (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes; or

(5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (5).

(c) A public venue club, drinking establishment, caterer or holder of a temporary permit may:

(1) Offer free food or entertainment at any time;

(2) sell or deliver wine by the bottle or carafe;

(3) sell, offer to sell and serve individual drinks at different prices throughout any day; ~~or~~

(4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces;

(5) offer samples of alcohol liquor free of charge as authorized by this act; or

(6) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid

ounces.

(d) A hotel of which the entire premises is licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, distribute to its guests coupons redeemable on the hotel premises for drinks containing alcoholic liquor. The hotel shall remit liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink served based on a price which is not less than the acquisition cost of the drink.

(e) A hotel of which the entire premises is not licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, through an agreement with one or more clubs or drinking establishments, distribute to its guests coupons redeemable at such clubs or drinking establishments for drinks containing alcoholic liquor. Each club or drinking establishment redeeming coupons issued by a hotel shall collect from the hotel the agreed price, which shall be not less than the acquisition cost of the drink plus the liquor drink tax for each drink served. The club or drinking establishment shall collect and remit the liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto.

~~(d)~~(f) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

~~(e)~~(g) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

~~(f) Every licensed club and drinking establishment shall make available at any time upon request a price list showing the club's or drinking establishment's current prices per individual drink for all individual drinks.~~

Sec. 11. K.S.A. 2012 Supp. 41-2641 is hereby amended to read as follows: 41-2641. (a) A license for a class B club shall allow the licensee to: (1) Offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by members of such club and guests accompanying them; and (2) serve samples of alcoholic liquor free of charge on the licensed premises for consumption by such members and their families and guests accompanying them.

No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

(b) (1) Subject to the provisions of subsection (b)(2), any two or more class A or class B clubs may permit, by an agreement filed with and approved by the director, the members of each such club to have access to all other clubs which are parties to such agreement. The privileges extended to the visiting members of other clubs under such an agreement shall be determined by the agreement and, if the agreement so provides, any club which is a party to such agreement may sell, offer for sale and serve, to any person who is a member of another club which is a party to such agreement, alcoholic liquor for consumption on the licensed premises by such person and such person's family, and guests accompanying them.

(2) A class B club may enter into a reciprocal agreement authorized by subsection (b)(1) only if the class B club is a restaurant.

(c) Except as provided by subsection (d), an applicant for membership in a class B club shall, before becoming a member of such club:

- (1) Be screened by the club for good moral character;
- (2) pay an annual membership fee of not less than \$10; and
- (3) wait for a period of 10 days after completion of the application form and payment of the membership fee.

(d) Notwithstanding the membership fee and waiting period requirement of subsection (c):

(1) Any class B club located on the premises of a hotel or RV resort may establish rules whereby a guest, who registered at the hotel or RV resort and who is not a resident of the county in which the club is located, may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and such temporary membership shall not be subject to the waiting period or fee requirement of this section.

(2) Any class B club located on property which is owned or operated by a municipal airport authority and upon which consumption of alcoholic liquor is authorized by law may establish rules whereby an air traveler who is a holder of a current airline ticket may file application for temporary membership in such club for the day such air traveler's ticket is valid, and such temporary membership shall not be subject to the waiting period or fee requirement of this section.

(3) Any class B club may establish rules whereby military personnel of the armed forces of the United States on temporary duty and housed at or near any military installation located within the exterior boundaries of the state of Kansas may file application for temporary membership in such club. The membership, if granted, shall be valid only for the period of the training, not to exceed 20 weeks. Any person wishing to make application for temporary membership in a class B club under this subsection (d)(3) shall present the temporary duty orders to the club. Temporary membership issued under this subsection (d)(3) shall not be subject to the waiting period or fee requirements of this section.

(4) Any class B club may enter into a written agreement with a hotel or RV resort whereby a guest who is registered at the hotel or RV resort and who is not a resident of the county in which the club is located may file application for temporary membership in such club. The temporary membership, if granted, shall be valid only for the period of time that the guest is a bona fide registered guest at the hotel or RV resort and shall not be subject to the waiting period or dues requirement of this section. A club may enter into a written agreement with a hotel or RV resort pursuant to this provision only if: (A) The hotel or RV resort is located in the same county as the club; (B) there is no class B club located on the premises of the hotel or RV resort; and (C) no other club has entered into a written agreement with the hotel or RV resort pursuant to this section.

(5) Any class B club located in a racetrack facility where races with parimutuel wagering are conducted under the Kansas parimutuel racing act may establish rules whereby persons attending such races may file an application for temporary membership in such club for the day such person is attending such races, and such temporary membership shall not be subject to the waiting period or fee requirement of

this section.

(e) A licensee may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 12. K.S.A. 2012 Supp. 41-2642 is hereby amended to read as follows: 41-2642. (a) A license for a drinking establishment shall allow the licensee to offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises which may be open to the public, and to serve samples of alcoholic liquor free of charge on licensed premises subject to the requirements of subsection (c). but only if such premises are located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, the proposition to amend section 10 of article 15 of the constitution of the state of Kansas at the general election in November 1986; or (B) have approved a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(b) A drinking establishment shall be required to derive from sales of food for consumption on the licensed premises not less than 30% of all the establishment's gross receipts from sales of food and beverages on such premises unless the licensed premises are located in a county where the qualified electors of the county:

(1) Have approved, at an election pursuant to K.S.A. 41-2646, and amendments thereto, a proposition to allow sales of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(c) No charge of any sort may be made for a sample serving. A person may be served no more than five samples per visit. Samples may not be served to a minor. No samples may be removed from the licensed premises. Providing samples is prohibited for any licensee who charges a cover charge or entry fee at any time during the business day. No consideration shall be requested or required for entry onto the premises, participation in any event taking place on the premises or to remain on the premises.

~~(d)~~ (d) A drinking establishment shall specify in the application for a license or renewal of a license the premises to be licensed, which may include all premises which are in close proximity and are under the control of the applicant or licensee.

~~(e)~~ (e) Notwithstanding any other provision of law to the contrary, any hotel of which the entire premises are licensed as a drinking establishment or as a drinking establishment/caterer may sell alcoholic liquor or cereal malt beverage by means of minibars located in guest rooms of such hotel, subject to the following:

(1) The key, magnetic card or other device required to attain access to a minibar in a guest room shall be provided only to guests who are registered to stay in such room and who are 21 or more years of age;

(2) containers or packages of spirits or wine sold by means of a minibar shall hold

not less than 50 nor more than 200 milliliters; and

(3) a minibar shall be restocked with alcoholic liquor or cereal malt beverage only during hours when the hotel is permitted to sell alcoholic liquor and cereal malt beverage as a drinking establishment.

(e) (f) A drinking establishment may store on its premises wine sold to a customer for consumption at a later date on its premises in the unopened container. Such wine must be kept separate from all other alcohol stock and in a secure locked area separated by customer. Such wine shall not be removed from the licensed premises in its unopened condition.

Sec. 13. K.S.A. 2012 Supp. 41-2655 is hereby amended to read as follows: 41-2655. (a) A license for a public venue shall allow the licensee to:

(1) Offer for sale, sell and serve alcoholic liquor by the individual drink for consumption on the licensed premises;

(2) offer for sale, sell and serve unlimited drinks for a fixed price in designated areas of the licensed premises;

(3) offer for sale and sell all inclusive packages which include unlimited drinks in designated areas of the licensed premises;

(4) offer for sale, sell and serve alcoholic liquor in the original container for consumption on the licensed premises in private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier;

(5) store, in each private suite, ~~which are is an~~ enclosed or semi-enclosed seating ~~areas~~ area, having controlled access and separated from the general admission areas by a permanent barrier, alcoholic liquor sold in the original container to a customer in that private suite; and

(6) with the approval of the retailer or distributor, return for a full refund of the original purchase price unopened containers of alcoholic liquor to the retailer or distributor from whom such items were purchased upon the conclusion of an event if the next scheduled event for that premises is more than 90 days from the date of the concluded event.

(b) An applicant or public venue licensee shall specify in the application for a license, or renewal of a license, the premises to be licensed. No public venue licensee may offer for sale, sell or serve any alcoholic liquor in any area not included in the licensed premises.

(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.

(e) All rules and regulations adopted on and after July 1, 2012, and prior to July 1, 2013, to implement this section shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary until revised, amended, revoked or nullified pursuant to law.

(f) This section shall be a part of and supplemental to the club and drinking establishment act.

Sec. 14. K.S.A. 2012 Supp. 79-41a02 is hereby amended to read as follows: 79-41a02. (a) There is hereby imposed, for the privilege of selling alcoholic liquor, a tax at

the rate of 10% upon the gross receipts derived from the sale of alcoholic liquor by any club, caterer, drinking establishment, public venue or temporary permit holder, and upon the acquisition costs of any alcoholic liquor served as samples by clubs and drinking establishments.

(b) The tax imposed by this section shall be paid by the consumer to the club, caterer, drinking establishment, public venue or temporary permit holder and it shall be the duty of each and every club, caterer, drinking establishment, public venue or temporary permit holder subject to this section to collect from the consumer the full amount of such tax, or an amount equal as nearly as possible or practicable to the average equivalent thereto. Each club, caterer, drinking establishment, public venue or temporary permit holder collecting the tax imposed hereunder shall be responsible for paying over the same to the state department of revenue in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the collection of such tax.

(c) Any club or drinking establishment that serves free samples of alcoholic liquor shall remit the tax imposed by subsection (a) in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the payment of such tax.

New Sec. 15. (a) Alcoholic liquor and cereal malt beverage for the sampling as provided for in K.S.A. 41-2637, 41-2640, 41-2641 and 41-2642, and amendments thereto, shall be withdrawn from the inventory of the licensee. Except as provided by subsection (b), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(b) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a licensee's premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch or pour alcoholic beverages, make a presentation or answer questions at the tasting. Any alcoholic beverage or cereal malt beverages sampled under this subsection must be purchased from the licensee on whose premises the sampling is held. The licensee may not require the purchase of more alcoholic beverages or cereal malt beverages than is necessary for the tasting. This section does not authorize the supplier or its agent to withdraw or purchase an alcoholic beverage or cereal malt beverage from the holder of a distributor's license or provide an alcoholic beverage or cereal malt beverage for sampling on the licensee's premises that is not purchased from the licensee.

New Sec. 16. Each licensee licensed under this act who provides samples shall pay the drink tax imposed by K.S.A. 79-41a01 et seq., and amendments thereto, on the alcoholic liquor and cereal malt beverage inventory when the inventory is withdrawn from the licensee's stock based on the licensee's acquisition cost.

Sec. 17. K.S.A. 41-713 and 41-2610 and K.S.A. 2012 Supp. 41-104, 41-308d, 41-354, 41-2601, 41-2637, 41-2640, 41-2641, 41-2642, 41-2655 and 79-41a02 are hereby repealed.

Sec. 18. 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 alcoholic beverages; amending K.S.A. 41-713 and 41-2610 and K.S.A. 2012 Supp. 41-104, 41-308d, 41-354, 41-2601, 41-2637, 41-2640, 41-2641, 41-2642,

41-2655 and 79-41a02 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER
 JAY SCOTT EMLER
 OLETHA FAUST-GOUDEAU
Conferees on part of Senate

ARLEN H. SIEGFREID
 STEVEN R. BRUNK
 LOUIS E. RUIZ
Conferees on part of House

On motion of Rep. Siegfroid, the conference committee report on **S Sub for HB 2199** was adopted.

On roll call, the vote was: Yeas 89; Nays 23; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Gonzalez, Grant, Grosserode, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutton, Jennings, Kelly, Kuether, Lane, Lunn, Lusk, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Perry, Peterson, Phillips, Proehl, Read, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Schwartz, Seiwert, Siegfroid, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Bideau, Crum, Dillmore, Edwards, Esau, Hedke, Houston, Howell, Jones, Kahrs, Kelley, Kinzer, Macheers, Mast, Pauls, Peck, Petty, Powell, Rhoades, Ryckman Sr., Schroeder, Shultz, Ward.

Present but not voting: None.

Absent or not voting: Alcalá, Christmann, Goico, Hawkins, Hermanson, Johnson, Kleeb, Osterman, Rubin, Sawyer, Schwab, Sloan, Wilson.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Siegfroid as a member of the conference committee on **HB 2060** to replace Rep. Schwab.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, May 23, 2013.

Journal of the House

SIXTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 23, 2013, 10:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 113 members present.

Rep. Osterman was excused on verified illness.

Reps. Bideau, Campbell, Christmann, Hawkins, Kleeb, Lane, Moxley, Proehl, Rubin, Sawyer and Schwab were excused on excused absence by the Speaker.

Present later: Reps. Bideau, Lane and Proehl.

Prayer by Chaplain Brubaker:

Heavenly Father,
today, as I come before You on this 90th day
of the 2013 session,
I am reminded of a quote from one of our great Kansans,
President Dwight D. Eisenhower.
He once said that
“a sense of humor is part of the art of leadership
of getting along with people and of getting things done.”
I’m wondering if the longer we go,
the less humor we might have.
So today, I want to pray that You grant each one of us humor—
so we can get along with each other but
especially so we can get things done!
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Dillmore.

PERSONAL PRIVILEGE

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

Two days ago, House members received a copy of Kansas Family Physician magazine with a headline on the front announcing Debra Doubek, MD as 2013 Kansas Family Physician of the Year. Many of you may not know that Dr. Doubek is the wife of our friend and colleague, Representative Phillips. Dr. Doubek is dedicated to her practice and could not be here in person, so we ask you, Tom, to share our congratulations with her and your family. This is such an honor, especially in light of

the fact that Dr. Doubek's father, Dr. Herb Doubek, was also named Kansas Family Physician of the Year in 1992 making them the only father/daughter team to receive such recognition.

Rep. Concannon presented a House certificate to Rep. Phillips to give to his wife, Dr. Doubek.

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Assessment & Restoration Section, Bureau of environmental Remediation, Kansas Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for April 2013.

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. Vickrey, 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 2149**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rhoades, the House concurred in Senate amendments to **HB 2149**, AN ACT concerning the highway patrol training center fund; amending K.S.A. 74-2134 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 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Bideau, Campbell, Christmann, Hawkins, Kleeb, Lane, Moxley, Osterman, Proehl, Rubin, Sawyer, Schwab.

REPORT OF STANDING COMMITTEES

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

and certificates that

Request No. 115, by Representative Grant, congratulating Mrs. Cleo (Francis) Patricia McElwain on celebrating her 100th birthday on July 31, 2013;

Request No. 116, by Representative Boldra, congratulating Allison Hohmann on receiving the Girl Scout Gold Award;

Request No. 117, by Representative Hildabrand, congratulating Jennifer Hamil on earning her master's degree from Emporia State University;

Request No. 118, by Representative Concannon, congratulating Debra Doubek, M.D. for being named the 2013 Kansas Family Physician of the year;

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. Vickrey, the committee report was adopted

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Burroughs as a member of the conference committee on **HB 2216** to replace Rep. Lane.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 246**.

INTRODUCTION OF ORIGINAL MOTIONS

Rep. Rhoades moved, pursuant to House Rule 2311, that House Rule 1309 be suspended and that an emergency be declared and **SB 246** be withdrawn from Committee on Appropriations and advanced to that order of business, Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call. The motion prevailed

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 246, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2012 Supp. 8-1,161, 12-4106, as amended by section 1 of 2013 House Bill No. 2041, 21-5109, 21-5302, as amended by section 6 of 2013 Senate Bill No. 16, 21-5808, 21-5904, 21-5924, 21-6302, as amended by section 4 of 2013 Senate Substitute for House Bill No. 2052, 21-6614, as amended by section 19 of 2013 Senate Substitute for House Bill No. 2034, 22-2802, 22-2908, 22-3212, 22-3717, as amended by section 27 of 2013 Senate Substitute for House Bill No. 2034, 32-1438, 39-709, as amended by section 1

of 2013 Senate Bill No. 149, 44-706, as amended by section 5 of 2013 Substitute for House Bill No. 2105, 44-709, as amended by section 3 of 2013 Senate Bill No. 187, 45-221, as amended by section 2 of 2013 Senate Bill No. 81, 45-229, as amended by section 1 of 2013 House Bill No. 2012, 47-422, 47-1804, 60-3107, 60-4104, as amended by section 41 of 2013 Senate Substitute for House Bill No. 2034, 65-4101, 72-978, 74-7901, 75-7c05, as amended by section 7 of 2013 Senate Substitute for House Bill No. 2052, 75-3740, 75-37,121, 75-4362, as amended by section 5 of 2013 Senate Bill No. 149, 75-5133, 75-6102, 75-6609, 79-3234, 79-32,117, as amended by section 3 of 2013 House Substitute for Senate Bill No. 83 and 79-32,160a and repealing the existing sections; also repealing K.S.A. 2012 Supp. 2-1930a, 2-1931a, 8-1,161a, 12-4106, as amended by section 8 of 2013 Senate Substitute for House Bill No. 2034, 21-5109a, 21-5302, as amended by section 12 of 2013 Senate Substitute for House Bill No. 2034, 21-5808a, 21-5904a, 21-5924a, 21-6302, as amended by section 3 of 2013 House Bill No. 2033, 21-6614, as amended by section 3 of 2013 Senate Bill No. 21, 22-2802c, 22-2908a, 22-3212b, 22-3717, as amended by section 6 of 2013 House Bill No. 2170, 32-1438a, 39-709, as amended by section 23 of 2013 Substitute for House Bill No. 2183, 39-923a, 44-706, as amended by section 4 of 2013 Senate Bill No. 149, 44-709, as amended by section 6 of 2013 Substitute for House Bill No. 2105, 45-221, as amended by section 6 of 2013 Senate Substitute for House Bill No. 2052, 45-221, as amended by section 1 of 2013 House Bill No. 2128, 45-229, as amended by section 1 of 2013 House Bill No. 2144, 47-422a, 47-1001g, 47-1008a, 47-1302a, 47-1701a, 47-1709a, 47-1725a, 47-1804a, 47-1809a, 60-3107a, 60-4104, as amended by section 8 of 2013 Senate Bill No. 16, 65-1685a, 65-4101b, 72-978a, 74-7901a, 75-7c05, as amended by section 6 of 2013 Senate Bill No. 21, 75-3740d, 75-37,121a, 75-4362, as amended by section 2 of 2013 House Bill No. 2302, 75-5133b, 75-6102c, 75-6609a, 79-3234c, 79-32,117, as amended by section 17 of 2013 House Bill No. 2253, 79-32,160f, 82a-220a and 82a-903a, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Campbell, Christmann, Edwards, Hawkins, Huebert, Kleeb, Montgomery, Moxley, Osterman, Peterson, Rubin, Sawyer, Schroeder, Schwab.

The bill 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 2416, AN ACT concerning courts; relating to appellate court jurisdiction; abolishing the court of appeals; establishing the court of criminal appeals and the court of civil appeals; amending K.S.A. 9-1907, 12-811, 13-1228h, 17-6906, 19-3517, 20-101, 20-139, 20-158, 20-163, 20-1a14, 20-205, 20-207, 20-208, 20-211, 20-310b, 20-2201, 20-2616, 20-2622, 20-3208, 22-2202, 22-2514, 22-2804, 22-3612, 22-4507, 24-702, 25-3206, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2928, 60-1301, 60-2101, 60-3201, 60-3208, 66-118a, 66-118g, 68-527a, 74-601, 75-3216, 77-609, 77-623 and 77-627 and K.S.A. 2012 Supp. 7-121b, 20-1a15, 20-2601, 20-3202, 21-5207, 21-6619, 21-6628, 22-3402, 22-3601, as amended by section 26 of 2013 Senate Substitute for House Bill No. 2034, 22-3602, 22-3604, 22-4701, as amended by section 2 of 2013 House Bill No. 2041, 26-504, 38-2382, 44-556, 45-217, 46-234, 55-1410, 60-223, 60-1501, 60-1505, 60-2102, 61-3902, 65-3008a, 65-3013, 65-4211, 72-64b03, 74-2426, 74-8762, 74-8813, 74-8815, 75-430, 75-3120h, 75-3120l, 75-37,135 and 82a-1505 and repealing the existing sections; also repealing K.S.A. 20-3001, 20-3006, as amended by section 3 of 2013 House Bill No. 2019, 20-3010, as amended by section 4 of 2013 House Bill No. 2019, 20-3011, 20-3012, 20-3013, 20-3014, 20-3015, 20-3016, 20-3018 and 20-3019 and K.S.A. 2012 Supp. 20-3002, as amended by section 2 of 2013 House Bill No. 2019, and 20-3017 and section 1 of 2013 House Bill No. 2019, by Committee on Federal and State Affairs.

REPORT ON ENGROSSED BILLS

S Sub for HB 2199 reported correctly re-engrossed May 22, 2013.

Also, **HB 2149** reported correctly engrossed May 23, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6032, **HR 6033** reported correctly enrolled and properly signed on May 23, 2013.

On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, May 24, 2013.

(Corrected)

Journal of the House

SIXTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 24, 2013, 9:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 114 members present.

Rep. Osterman was excused on verified illness.

Reps. Brunk, Campbell, Christmann, Dove, Hawkins, KleeB, Read, Rubin, Sawyer and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord, God,
As we think about the last three or four months
and all the time, energy, thought, and effort
that these leaders have put into their leadership role
here in the legislature,
we are reminded of spouses who watched over the home front;
kids or grandkids that might have missed a parent or grandparent
attending their school event or ball game;
the colleagues that kept the business or office running in their absence;
friends that may have missed them at social events;
and even the pets who missed out on a pat or two.
Thank you for all those in the background that provide
the support necessary for these men and women to
fulfill the responsibility to which they were elected.
Encourage those loved ones back home and
bless them for their willingness to make necessary adjustments.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Frownfelter.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **HB 2416**.

MESSAGES FROM THE GOVERNOR

HB 2015, HB 2081, HB 2115, HB 2204, HB 2218, HB 2261 approved on May 22, 2013.

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2120**, AN ACT concerning crimes, criminal procedure and punishment; relating to DNA evidence; relating to statute of limitations; relating to possession of a firearm during a drug felony; amending K.S.A. 2012 Supp. 21-2511, 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 21-6403 and 21-6805 and repealing the existing sections, was received and read.

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

Many concerns have been expressed regarding the constitutionality of **House Bill 2120**. Upon careful review, I agree the language in this legislation violates Article 15, Section 3 of the Kansas Constitution. However, I support the Legislature's policy goal of permitting certain limited raffles for charitable purposes. As such, I encourage the Legislature to consider a constitutional amendment to accomplish this goal.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Bill 2120.

SAM BROWNBACK
Governor

Dated: May 23, 2013

COMMUNICATIONS FROM STATE OFFICERS

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, in accordance with K.S.A. 60-4117, report for the Kansas Department of Corrections State Forfeiture Fund for the period of December 2, 2011 through December 1, 2012.

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 2084**, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 171, HB 2084**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 171** 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.

MARC RHOADES
 GENE SUELLENTROP
Conferees on part of House

TY MASTERSON
 JIM DENNING
Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report was adopted.

Speaker Merrick thereupon appointed Reps. Rhoades, Suellentrop and Henry as fourth conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hutton to nonconcur in Senate amendments to **HB 2084**, Rep. Menghini offered a substitute motion to concur in Senate amendments. The substitute motion did not prevail, and the bill is killed.

On roll call, the vote was: Yeas 5; Nays 109; Present but not voting: 0; Absent or not voting: 11.

Yeas: Carpenter, Hutton, Jones, Peck, Suellentrop.

Nays: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Carlin, Carlson, Cassidy, Claey, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Jennings, Johnson, Kahrs, Kelley, Kelly, Kinzer, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Peterson, Petty, Phillips, Powell, Proehl, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Brunk, Campbell, Christmann, Dove, Hawkins, Kleeb, Osterman, Read, Rubin, Sawyer, Schwab.

EXPLANATIONS OF VOTE

MR. SPEAKER: My "Yes" vote to concur with **HB 2084** was in opposition to the procedure of the vote and not a vote to increase tax revenue as the bill would have done. The intent of running the bill on the floor was to display contempt for the Senate plan. This is not the way to legislate. I want to see good policy not politics! – KEVIN JONES, WILL CARPENTER

MR. SPEAKER: The principled, conservative 2012 legislature passed an approximate \$800,000,000 income tax reduction which forces our Kansas government to be more responsible, efficient, lightens the tax burden of Kansas citizens, and is a giant step in

the right direction. Unfortunately, this year's tax bill reverses some of the important gains with an unnecessary tax increase. The 2010 legislature's decision to begin a 4/10th cent sales tax increase this year for KDOT is unnecessary new spending which should instead be directed to balance the budget. We could proudly adjourn the session as principled conservatives but not under this tax policy proposal. I vote No on **HB 2084**.

– JIM HOWELL, JOHN BRADFORD

MR. SPEAKER: Principled conservatives voted last year to reduce taxes, a move that was lauded nationally as an example for others to follow. That reduced tax burden positions Kansas for job growth. Bottom line, **HB 2084** is a tax increase. As a compassionate conservative I believe we can have smaller, more effective government, ensure our communities are safe, provide quality education for our children, maintain our outstanding roads, minister to the needy, reduce our debts, and still lower taxes. I cannot turn my back on the progress made last year. I vote NO, thereby killing the Senate Tax Plan inside **HB 2084**. – PETE DEGRAAF, RANDY GARBER

REPORT ON ENROLLED BILLS

HB 2249 reported correctly enrolled, properly signed and presented to the Governor on May 24, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Tuesday, May 28, 2013.

Journal of the House

SIXTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 28, 2013, 10:00 a.m.

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

The roll was called with 109 members present.

Rep. Osterman was excused on verified illness.

Reps. Phillips and Swanson were excused on legislative business.

Reps. Carlin, Christmann, Edmonds, Gandhi, Goico, Jennings, Kleeb, Peck, Peterson, Rubin, Sawyer and Schwartz were excused on excused absence by the Speaker.

Rep. Bridges was absent.

Present later: Reps. Carlin, Sawyer, Schwartz and Swanson.

Prayer by Chaplain Brubaker:

God of love and freedom,
thank You for the long weekend and the opportunity
to step away from the task at hand
to be with family and friends.
Once again, we want to remember
and express our appreciation for those
who have served our nation and paid the highest cost
to protect us and fight for our freedoms.
I thank You for all those who are serving
in our military today—and pray for protection over them.
The freedoms they fight to protect
are those that we exercise here in the democratic process.
Although we may not all agree with the decisions made,
we are grateful for the freedom to make the decisions.
It is in this spirit of gratitude that I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Campbell.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 171**, and has appointed Senators Masterson, Denning and Kelly as fourth conferees on the part of the Senate.

The Senate announced the appointment of Senator Bruce as a member of the Conference committees on **H Sub for SB 84; HB 2059, HB 2060** to replace Senator

Donovan.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Kuether, **HR 6034**, by Rep. Kuether, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6034**—

A RESOLUTION recognizing the success of the STARBASE program in Kansas.

WHEREAS, The STARBASE program started in 1989 in response to deficiencies and shortfalls in math and science education. Originally, Project STARS was a one-week summer program linking the military and local educational systems where 4th, 5th and 6th graders would learn math and science through hands-on activity; and

WHEREAS, The response to this pilot program was exceptionally positive and, in 1993, Department of Defense funds were made available to start a school-year program, formally launching the STARBASE program. Kansas was one of seven original states to receive funding for the STARBASE program; and

WHEREAS, The Kansas STARBASE program is the largest in the United States with five locations in Wichita, Topeka, Salina, Manhattan and Kansas City. The program has teamed up with western Kansas community colleges and universities to ensure all students have access to this exceptional and unique program; and

WHEREAS, STARBASE has worked with over 50,000 Kansas students to increase their knowledge and create an interest in the areas of math, science, engineering and technology. Along with the academic focus, STARBASE also works to instill a sense of pride and personal accomplishment in the students who have attended the academy. When asked about their experience at STARBASE, 96% of students said STARBASE made learning fun, and 91% said they would like to go back to STARBASE; and

WHEREAS, The success of the STARBASE program is due to the great relationship between the military and local schools as the result of the Department of Defense's management of the program:

Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the success the STARBASE program has seen in Kansas. The STARBASE program has had a significant impact on Kansas students, and we hope to see continued success of the program; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide three enrolled copies of this resolution to Representative Kuether.

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

It is my privilege to offer House Resolution 6034 supporting the Starbase program. I am joined here this morning by Sen. Elaine Bowers, Ex. Director Jeff Gabriel, board member and President Kerry Taylor, and Brigadier General Eric Peck. As a former Board member, I have seen the success of this program through the eyes of its students. Please join me in supporting this resolution.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 84**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 84** 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

ARLEN SIEGFREID

Conferees on part of House

CARYN TYSON

TERRY BRUCE

Conferees on part of Senate

On motion of Rep. Carlson, the conference committee report on **H Sub for SB 84** was adopted.

Speaker pro tem Mast thereupon appointed Reps. Carlson, Siegfroid and Menghini as second conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Rep. Schwab as a member of the conference committees on **HB 2059, HB 2060** to replace Rep. Siegfroid.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 84**, and has appointed Senators Tyson, Bruce and Hensley as second conferees on the part of the Senate.

The Senate announced the appointment of Senator Holland as a member of the conference committee on **H Sub for SB 84** to replace Senator Hensley.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 84** 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 House Committee of the

Whole amendments, as follows:

On page 1, in line 8, by striking "2014" and inserting "2018";

On page 3, in line 23, by striking ", and all tax years thereafter"; following line 27, by inserting:

"(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.9% of excess over \$30,000

(D) For tax year 2015:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(E) For tax year 2016:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.4% of Kansas taxable income
Over \$30,000.....	\$720 plus 4.75% of excess over \$30,000

(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 4.75% of excess over \$30,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 3.5% of excess over \$30,000";

Also on page 3, in line 36, by striking ", and all tax years thereafter"; following line 40, by inserting:

"(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.9% of excess over \$15,000

(D) For tax year 2015:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(E) For tax year 2016:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.4% of Kansas taxable income
Over \$15,000.....	\$360 plus 4.75% of excess over \$15,000

(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus 4.75% of excess over \$15,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus 3.5% of excess over \$15,000";

On page 4, in line 21, before "Tax" by inserting "Commencing with fiscal year 2018,"; in line 27, following the period, by inserting: "(1) For the tax year commencing on January 1, 2013,"; in line 28, following "means" by inserting "75% of"; following line 31, by inserting:

"(2) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2015, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 60% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(5) For the tax year commencing on January 1, 2017, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(6) For the tax years commencing on and after January 1, 2018, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.";

Also on page 4, by striking all in lines 40 through 43;

On page 5, by striking all in lines 1 through 15; following line 15 by inserting:

"(c) Notwithstanding any provision of this section to the contrary, for the tax years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.";

On page 10, by striking lines 26 and 27; following line 27 by inserting:

"New Sec. 4. (a) For any taxable year commencing after December 31, 2012, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable, and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of: (A) Domicile; (B) age; and (C) disability.

(2) A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) (1) "Disability" means: (A) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this subsection, with respect to any individual, "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country and a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(B) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this subsection "blindness" means central visual acuity of $\frac{20}{200}$ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of $\frac{20}{200}$ or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.

Sec. 5. K.S.A. 2012 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code. For tax year 1998 through tax year 2012, the standard deduction amount shall be as follows: Single individual filing status, \$3,000; married filing status, \$6,000; and head of household filing status, \$4,500. For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700. For tax year 2013, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, ~~\$9,000~~ \$6,500; and head of household filing status, ~~\$9,000~~ \$5,000. For purposes of the foregoing, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 6. K.S.A. 2012 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 5.3%, and commencing July 1, 2010, at the rate of 6.3%, and commencing July 1, 2013, at the rate of ~~5.7%~~ 6.0%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2012 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2012 Supp. 79-3673,

and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for 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, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device

whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to paragraph *Ninth* of K.S.A. 79-201, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to paragraphs *Eighth* and *Ninth* of K.S.A. 79-201, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501 (c) (3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; or (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of clause (3), immediate family member means lineal ascendants or descendants, and their spouses.

Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to subsections (a), (b)(1) and (b) (2) of K.S.A. 79-5105, and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act 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 tax paid as provided by this act. All such 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 of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2012 Supp. 79-3673, and amendments thereto; and

(v) the gross receipts received from the sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq., and amendments thereto, shall be taxed at a rate of: (1) 4.9% on July 1, 2000, and before July 1, 2001; and (2) 2.5% on July 1, 2001, and before July 1, 2002. From and after July 1, 2002, all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section.

Sec. 7. K.S.A. 2012 Supp. 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill no. 83, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes 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, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such 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. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify

the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.

(8) On July 1, 2013, and thereafter, the state treasurer shall credit ~~18.421%~~ 17.500% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of ~~5.7%~~ 6.0%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited

hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3710, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 8. K.S.A. 2012 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 5.3%, and commencing July 1, 2010, at the rate of 6.3%, and commencing July 1, 2013, at the rate of ~~5.7%~~ 6.0%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 9. K.S.A. 2012 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of 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, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such 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) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.

(8) On July 1, 2013, and thereafter, the state treasurer shall credit ~~18.421%~~ 17.500% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of ~~5.7%~~ 6.0%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from

taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a, and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3620, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 10. K.S.A. 2012 Supp. 79-32,110, 79-32,119, 79-32,120, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703 and 79-3710 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 3 and 4 and inserting "sales tax, rates and distribution of revenue; amending K.S.A. 2012 Supp. 79-32,110, 79-32,119, 79-32,120, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703 and 79-3710 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

RICHARD CARLSON
 ARLEN SIEGFREID
Conferees on part of House

CARYN TYSON
 TERRY BRUCE
Conferees on part of Senate

On motion of Rep. Carlson to adopt the conference committee report, the motion did not prevail and the bill was killed.

On roll call, the vote was: Yeas 42; Nays 71; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Barker, Becker, Boldra, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Crum, Doll, Ewy, Gonzalez, Hawkins, Hedke, Hoffman, Huebert, Johnson, Kelly, Kinzer, Lunn, Mast, Merrick, Montgomery, O'Brien, Petty, Proehl, Read, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sutton, Thimesch, Todd, Vickrey, Weber.

Nays: Ballard, Bideau, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carlin, Claeys, Clayton, Concannon, Corbet, Davis, DeGraaf, Dierks, Dillmore, Dove, Edwards, Esau, Finch, Finney, Frownfelter, Garber, Grant, Grosserode, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Howell, Hutton, Jones, Kahrs, Kelley, Kuether, Lane, Lusk, Macheers, McPherson, Meier, Meigs, Menghini, Moxley, Pauls, Perry, Phillips, Powell, Rhoades, Rooker, Ruiz, Sawyer, Sloan, Sloop, Suellentrop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Alcalá, Bridges, Christmann, Edmonds, Gandhi, Goico, Jennings, Kleebl, Osterman, Peck, Peterson, Rubin.

EXPLANATION OF VOTE

MR. SPEAKER: I was elected by the voters in the 87th district to reduce the tax burden on Kansans by growing our economy and reducing the size of government. I fully support reducing income taxes on our citizens, but reducing bloated government spending should be the source for the reduction. This legislation raises income and sales taxes by over \$850,000 in net new tax revenue for the state government. It is irresponsible to increase taxes instead of reigning in out-of-control government spending. I vote no on **H Sub for SB 84**. – MARK KAHRs

CHANGE OF CONFEREES

Speaker pro tem Mast announced the appointment of Rep. Lane as a member of the conference committee on **HB 2216** to replace Rep. Burroughs.

REPORT ON ENROLLED BILLS

HB 2149, HB 2162; S Sub for HB 2199; HB 2213 reported correctly enrolled, properly signed and presented to the Governor on May 28, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Wednesday, May 29, 2013.

Journal of the House

SIXTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 29, 2013, 10:00 a.m.

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

The roll was called with 111 members present.

Rep. Osterman was excused on verified illness.

Reps. Barker, Bridges, Edmonds, Gandhi, Goico, Hermanson, Jennings, Johnson, Kelley, Kleeb, Peck, Schwartz and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of wisdom,
As we gather once again,
it is obvious that our leaders are at a crossroads
of making some tough decisions.
Help them today to not see the difficulty in the opportunity,
but to see an opportunity in the difficulty.
Help them to understand that the impossible problem
is solved when they see that the problem
is only a tough decision waiting to be made.
And even though they may disagree and debate
over the positions on the issue,
help them to never make it personal and to always
be accepting, understanding and compassionate of each other.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Concannon.

MESSAGE FROM THE GOVERNOR

May 24, 2013

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

Enclosed herewith is Executive Order No. 13-01 for your information.

EXECUTIVE ORDER 13-01

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.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side in not adopting the conference committee report on **H Sub for SB 84**, Rep. Rhoades moved, pursuant to House Rule 2303, that the House reconsider its action.

Roll call was demanded.

On roll call, the vote was: Yeas 79; Nays 32; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelly, Kinzer, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster.

Nays: Alcalá, Ballard, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Peterson, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Edmonds, Gandhi, Goico, Hermanson, Jennings, Johnson, Kelley, Kleeb, Osterman, Peck, Schwartz, Weber.

The motion prevailed and the bill was returned to the original motion of Rep. Carlson under that order of business Consideration of Conference Committee Reports.

CONFERENCE COMMITTEE REPORT

The conference committee report on **H Sub for SB 84** was reconsidered (see report on pages 1042-1055 of the House Journal). On the original motion of Rep. Carlson to adopt the conference committee report, Rep. Vickrey offered a substitute motion to not adopt the conference committee report and a new conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Carlson, Schwab and Menghini as third conferees on the part of the House.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, May 30, 2013.

Journal of the House

SEVENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 30, 2013, 10:00 a.m.

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

The roll was called with 109 members present.

Rep. Osterman was excused on verified illness.

Reps. Barker, Bridges, Bruchman, Gandhi, Goico, Hill, Jennings, Johnson, Kinzer, Kleeb, Montgomery, Moxley, Peterson, Weber and Wilson were excused on excused absence by the Speaker.

Present later: Reps. Bruchman, Hill, Jennings, Moxley and Wilson.

Prayer by Chaplain Brubaker:

Omniscient God,
this morning as I come before You to
lift these leaders up in prayer,
I am reminded of the African proverb,
“indecision is like a child with dirty hands:
if he doesn’t wash his hands, he is called dirty;
if he does wash his hands, he is wasting water.”
Your Word tells us that
“if any of you lacks wisdom, he should ask God,
who gives generously to all .”
So, today I ask for wisdom,
for a spirit of concord,
for a shared sense of responsibility,
and for open doors to a solution
that will serve the common good.
In Your Name I pray, Amen

The Pledge of Allegiance was led by Rep. Dierks.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **H Sub for SB 84** and has appointed Senators Tyson, Bruce and Holland as third conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Carlin, **HR 6035**, by Rep. Carlin, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6035—

A RESOLUTION congratulating Kansas State University on a successful year in inter-collegiate athletics.

WHEREAS, The Kansas State University Athletic Department has had unprecedented success this year with several major accomplishments including Big XII Title Championships and Big XII Coach of the Year awards in football, men's basketball and baseball; and

WHEREAS, The 2012 Kansas State Wildcats football team captured the Big XII title with a record of 11-2 and a conference record of 8-1. The successful Wildcat football season ended in a berth to the Tostito's Fiesta Bowl. Head Coach, Bill Snyder, was named the Big XII Coach of the Year and under his direction, the Wildcats had their first ever No. 1 ranking in the BCS standings; and

WHEREAS, The 2012-2013 Kansas State men's basketball team won their first Big XII conference title in 36 years. Under Head Coach Bruce Weber, the Wildcats had an impressive 27-8 record overall and a 14-4 record in the Big XII conference. Coach Weber was named this year's Big XII Coach of the Year after guiding the Wildcats through such a successful season; and

WHEREAS, The Kansas State baseball team was also named Big XII conference champions this year. While the team's season is not yet over, they captured the Big XII championship with an overall record of 36-19 and a conference record of 16-8. Head Coach Brad Hill was named Big XII Coach of the Year, making him the third coach from Kansas State University to win that award for the academic year; and

WHEREAS, Kansas State University is the first school in league history to have its football, men's basketball and baseball coaches all win the Big XII Coach of the Year award in the same academic year. This is also only the second time in league history that the same school won the Big XII conference title in football, men's basketball and baseball: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate Kansas State University on its extraordinary inter-collegiate athletic success this year. This is an historic year for Kansas State Athletics, and we congratulate the school's accomplishments and wish them future success; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Representative Carlin.

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

One of the things we do here in the Capitol is to recognize excellence among our constituents! Whenever someone or some group achieves excellence we like to recognize them. Today we are so proud and happy to recognize three outstanding Kansans. K-State athletic director, John Currie, has dubbed Manhattan "Title Town" because the outstanding Trio of Bill Snyder, Bruce Weber and Brad Hill have taken Big 12 Championships in Football, Basketball and Baseball during the 2012-2013 academic year, and in the process each individual coach – because of his own strengths and

accomplishments - was named Big 12 Coach of the Year in his respective sport!

It wasn't easy to schedule this Resolution due to the commitments of our coaches, so we decided to go on ahead today. Kansas State University became the second Big 12 school and fourth nationally in the BCS era to win conference titles in football, men's basketball and baseball in the same season.

Coach Weber took the Cats to the Big 12 Championship in his first year at the helm of the program. We look forward to the return of historical K-State Basketball greatness under Bruce Weber in Bramlage Coliseum, continued success on the Football Field under Bill Snyder and continuing a strong Baseball Tradition under Brad Hill. This is the 4th season that our Baseball Team has advanced to the Regionals and this is the FIRST time that K-State has been selected to Host the Regional Tourney beginning tomorrow afternoon. (5/31/13)

Enthusiasm in Manhattan is at an all-time high - witnessed by the construction of the \$75 million dollar West Stadium Center that will be open August 30th for our first home game. Last fall we celebrated the opening of the \$18 million dollar Basketball Training Facility. And I remember not too long ago that our baseball field looked like a Little League Facility - and we have been enjoying the impressive new Tointon Stadium complete with locker rooms, press box, and box seating and hot dogs. Success begets Success and we build on that every day at K-State.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2216**, and has appointed Senators Masterson, Denning and Kelly as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2216** 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.

TY MASTERSON

JIM DENNING

LAURA KELLY

Conferees on part of Senate

PETE DEGRAAF
JIM HOWELL
HAROLD LANE

Conferees on part of House

On motion of Rep. DeGraaf, the conference committee report was adopted.
Speaker pro tem Mast thereupon appointed Reps. DeGraaf, Howell and Lane as second conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 3:30 p.m.

MID-AFTERNOON SESSION

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

On motion of Rep. Vickrey, the House recessed until 4:15 p.m.

LATE AFTERNOON SESSION

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

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 84** 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
SCOTT SCHWAB

Conferees on part of House

CARYN TYSON
TERRY BRUCE

Conferees on part of Senate

On motion of Rep. Carlson, the conference committee report on **H Sub for SB 84** was adopted.

Speaker pro tem Mast thereupon appointed Reps. Carlson, Schwab and Menghini as fourth conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 8:00 p.m.

EVENING SESSION

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 84**, and has appointed Senators Tyson, Bruce and Holland as fourth conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 84** 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 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 8; in line 23, by striking ", and all tax years thereafter"; in line 25, by striking "3.0%" and inserting "2.9%"; in line 26, by striking "\$900" and inserting "\$870"; also in line 26, by striking "4.9%" and inserting "4.8%"; following line 27, by inserting:

"(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.8% of Kansas taxable income
Over \$30,000.....	\$840 plus 4.6% of excess over \$30,000

(D) For tax year 2015:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.5% of excess over \$30,000

(E) For tax year 2016:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.6% of Kansas taxable income
Over \$30,000.....	\$780 plus 4.4% of excess over \$30,000

(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.5% of Kansas taxable income
Over \$30,000.....	\$750 plus 4.2% of excess over \$30,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.5% of Kansas taxable income
Over \$30,000.....	\$750 plus 3.5% of excess over \$30,000";

Also on page 3, in line 36, by striking ", and all tax years thereafter"; in line 38, by

striking "3.0%" and inserting "2.9%"; in line 39 by striking "\$450" and inserting "\$435"; also, in line 39, by striking "4.9%" and inserting "4.8%"; following line 40, by inserting:

"(C) For tax year 2014:
 If the taxable income is: The tax is:
 Not over \$15,000.....2.8% of Kansas taxable income
 Over \$15,000.....\$420 plus 4.6% of excess over
 \$15,000

(D) For tax year 2015:
 If the taxable income is: The tax is:
 Not over \$15,000.....2.7% of Kansas taxable income
 Over \$15,000.....\$405 plus 4.5% of excess over
 \$15,000

(E) For tax year 2016:
 If the taxable income is: The tax is:
 Not over \$15,000.....2.6% of Kansas taxable income
 Over \$15,000.....\$390 plus 4.4% of excess over
 \$15,000

(F) For tax year 2017:
 If the taxable income is: The tax is:
 Not over \$15,000.....2.5% of Kansas taxable income
 Over \$15,000.....\$375 plus 4.2% of excess over
 \$15,000

(F) For tax year 2018, and all tax years thereafter:
 If the taxable income is: The tax is:
 Not over \$15,000.....2.5% of Kansas taxable income
 Over \$15,000.....\$375 plus 3.5% of excess over
 \$15,000";

On page 4, by striking all in lines 21 and 22; in line 24, before "If" by inserting "(1)"; in line 27, following the period, by inserting: "(2) For the tax year commencing on January 1, 2013,"; in line 28, following "means" by inserting "75% of"; following line 31, by inserting:

"(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax year commencing on January 1, 2015, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 60% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this

section.

(6) For the tax year commencing on January 1, 2017, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(7) For the tax years commencing on and after January 1, 2018, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.";

Also on page 4, by striking all in lines 40 through 43;

On page 5, by striking all in lines 1 through 15; following line 15 by inserting:

"(c) Notwithstanding any provision of this section to the contrary, for the tax years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.";

On page 10, by striking lines 26 and 27; following line 27 by inserting:

"Sec. 3. K.S.A. 2012 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code. For tax year 1998 through tax year 2012, the standard deduction amount shall be as follows: Single individual filing status, \$3,000; married filing status, \$6,000; and head of household filing status, \$4,500. For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700. For tax year 2013, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, ~~\$9,000~~ \$6,500; and head of household filing status, ~~\$9,000~~ \$5,000. For purposes of the foregoing, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 4. K.S.A. 2012 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human

consumption and contain .05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the twelfth grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "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. "Food and food ingredients" does not include alcoholic beverages or tobacco. "Food and food ingredients" includes candy, bottled water, dietary supplements as defined in K.S.A. 79-3606(jjj), and amendments thereto, and soft drinks. 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) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain: (A) Antimicrobial agents; (B) fluoride; (C) carbonation; (D) vitamins, minerals, and electrolytes; (E) oxygen; (F) preservatives; and (G) only those flavors, extracts, or essences derived from a spice or fruit. "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(3) "Soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do 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.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for 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, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a

reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in (1) the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, (2) the providing of services, (3) the irrigation of crops, for sale in the regular course of business, or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether

received in money or otherwise, without any deduction for the following:

- (A) The seller's cost of the property sold;
 - (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
 - (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
 - (D) delivery charges; and
 - (E) installation charges.
- (2) "Sales or selling price" includes consideration received by the seller from third parties if:
- (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
 - (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
 - (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
 - (D) one of the following criteria is met:
 - (i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;
 - (ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or
 - (iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.
- (3) "Sales or selling price" shall not include:
- (A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
 - (B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;
 - (C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;
 - (D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and
 - (E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.
- (mm) "Seller" means a person making sales, leases or rentals of personal property or services.
- (nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.
- (oo) "Sourcing rules" means the rules set forth in K.S.A. 2012 Supp. 79-3670

through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice

over Internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(iii) "Prepared food" means:

(1) Food sold in a heated state or heated by the seller;

(2) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(3) 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.

"Prepared food" in subsection (iii)(2) does not include food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of its food code so as to prevent food borne illnesses.

Sec. 5. K.S.A. 2012 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 5.3%, and commencing July 1, 2010, at the rate of 6.3%, ~~and commencing July 1, 2013, at the rate of 5.7%.~~ Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state, except that effective October 1, 2013, the rate on sales of food and food ingredients, and sales of food sold through vending machines shall be 4.9%, but not including sales of prepared food, which sales shall be at the rate of 6.3%. The following items shall be taxed as sales of food and food ingredients and not as sales of prepared food if sold without eating utensils provided by the seller:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries).

(2) Food sold in an unheated state by weight or volume as a single item.

(3) Bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, doughnuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas.

The sales of substances that are included within the definition of "food and food ingredients," including, but not limited to, "bottled water," "candy," "dietary supplements" and "soft drinks," shall be taxed as the sales of "prepared food" if sold as "prepared food":

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2012 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2012 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of

1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for 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, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to paragraph *Ninth* of K.S.A. 79-201, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to paragraphs *Eighth* and *Ninth* of K.S.A. 79-201, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501 (c) (3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; or (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of clause (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to subsections (a), (b)(1) and (b) (2) of K.S.A. 79-5105, and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30,

2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act 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 tax paid as provided by this act. All such 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 of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2012 Supp. 79-3673, and amendments thereto; and

(v) the gross receipts received from the sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq., and amendments thereto, shall be taxed at a rate of: (1) 4.9% on July 1, 2000, and before July 1, 2001; and (2) 2.5% on July 1, 2001, and before July 1, 2002. From and after July 1, 2002, all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section.

Sec. 6. K.S.A. 2012 Supp. 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes 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, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such 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. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) The state treasurer shall credit $\frac{5}{8}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and

deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, ~~as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.~~

(8) On July 1, 2013, ~~and thereafter through June 30, 2014,~~ the state treasurer shall credit ~~18.421%~~ 17.024% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of ~~5.7%~~ (A) 6.3% for the period between July 1, 2013, through September 30, 2013; and (B) for the period between October 1, 2013, and June 30, 2014, at the rate of 6.3% and 4.9% for food, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(9) On July 1, 2014, and thereafter, the state treasurer shall credit 17.163% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3% and 4.9 for food, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and

amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3710, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 7. K.S.A. 2012 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 5.3%, and commencing July 1, 2010, at the rate of 6.3%, ~~and commencing July 1, 2013, at the rate of 5.7%~~ except that effective October 1, 2013, the rate on the consideration paid by the taxpayer for food and food ingredients, and food sold through vending machines shall be 4.9%, but not including the consideration paid by the taxpayer for prepared food, which rate shall be 6.3%.

(a) The following items shall be taxed as the using, consuming or storing within this state of food and food ingredients and not as the using, consuming or storing within this state of prepared food if sold without eating utensils provided by the seller:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries).

(2) Food sold in an unheated state by weight or volume as a single item.

(3) Bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, doughnuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas.

The privilege of using, storing or consuming within this state substances that are included within the definition of "food and food ingredients," including, but not limited to, "bottled water," "candy," "dietary supplements" and "soft drinks," shall be taxed as the privilege of using, storing or consuming within this state "prepared food" if sold as "prepared food."

(b) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 8. K.S.A. 2012 Supp. 79-3710 is hereby amended to read as follows: 79-3710.

(a) All revenue collected or received by the director under the provisions of 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, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such 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) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue

collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, ~~as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.~~

(8) On July 1, 2013, ~~and thereafter through June 30, 2014,~~ the state treasurer shall credit ~~18.421%~~ 17.024% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of ~~5.7%~~; (A) 6.3% for the period between July 1, 2013, through September 30, 2013; and (B) for the period between October 1, 2013, and June 30, 2014, at the rate of 6.3% and 4.9% for food, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(9) On July 1, 2014, the state treasurer shall credit 17.163% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3% and 4.9% for food, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by subsection (d) of K.S.A. 79-3620, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in subsection (z) of K.S.A. 12-1770a, and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-

3620, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 9. K.S.A. 2012 Supp. 79-32,110, 79-32,119, 79-32,120, 79-3602, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703 and 79-3710 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 3 and 4 and inserting "sales tax, rates and distribution of revenue; amending K.S.A. 2012 Supp. 79-32,110, 79-32,119, 79-32,120, 79-3602, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703 and 79-3710 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

RICHARD CARLSON

SCOTT SCHWAB

Conferees on part of House

CARYN TYSON

TERRY BRUCE

Conferees on part of Senate

On motion of Rep. Carlson to adopt the conference committee report on **H Sub for SB 84**, Rep. Schwab offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The substitute motion was then withdrawn.

The question reverted back to the original motion of Rep. Carlson to adopt the conference committee report which did not prevail and the bill was killed.

On roll call, the vote was: Yeas 18; Nays 94; Present but not voting: 0; Absent or not voting: 13.

Yeas: Boldra, Carpenter, Ewy, Gonzalez, Hawkins, Hermanson, Hill, Huebert, Hutton, Jones, Meigs, Peck, Petty, Shultz, Siegfried, Suellentrop, Sutton, Thimesch.

Nays: Alcalá, Alford, Ballard, Becker, Bideau, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Finch, Finney, Frownfelter, Garber, Grant, Grosserode, Hedke,

Henderson, Henry, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Jennings, Kahrs, Kelley, Kelly, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Menghini, Merrick, Moxley, O'Brien, Pauls, Perry, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Sloan, Sloop, Swanson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Campbell, Gandhi, Goico, Johnson, Kinzer, Kleeb, Montgomery, Osterman, Peterson, Schroeder, Weber.

REPORT ON ENROLLED RESOLUTIONS

HR 6034 reported correctly enrolled and properly signed on May 30, 2013.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Friday, May 31, 2013.

Journal of the House

SEVENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 31, 2013, 10:00 a.m.

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

The roll was called with 114 members present.

Rep. Osterman was excused on verified illness.

Reps. Barker, Bridges, Bruchman, Gandhi, Goico, Hermanson, Lane, Montgomery, Powell and Todd were excused on excused absence by the Speaker.

Rep. Frownfelter was excused later in the day on excused absence by the Speaker.

Present later: Rep. Todd.

Prayer by Chaplain Brubaker:

Eternal God of hope, love and light,
again I come before You
asking for wisdom, patience, peace,
perseverance and understanding for our leaders.
Give them discernment that they might
examine their commitment to principle,
conviction, and commitment and to avoid
an inability to listen to one another
and work cooperatively to solve
the important issue of the day.
Give them the generosity of heart
and the courage of true leadership
to work toward a common solution
which might call for sacrifice on all sides.
And, with the long hours and lingering days,
help us all to keep our sense of humor
in order to remain objective and diligent.
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Carpenter.

MESSAGE FROM THE SENATE

The Senate announced the appointment of Senators Tyson, Bruce and Holland to replace Senators King, Smith and Haley as members of the conference committee on **SB 63**.

The Senate announced the appointment of Senators King, Smith and Haley to replace Senators Love, Kerschen and Francisco as members of the conference committee on **HB 2049**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6036**—

By Representatives DeGraaf, Powell, Barker, Becker, Bideau, Boldra, Bradford, Carpenter, Christmann, Claeys, Concannon, Couture-Lovelady, Dove, Edwards, Esau, Ewy, Garber, Gonzalez, Grosserode, Hedke, Highland, Hoffman, Howell, Huebert, Johnson, Jones, Kahrs, Lunn, Macheers, Mast, McPherson, Peck, Petty, Read, Rothlisberg, Ryckman Sr., Schroeder, Seiwert, Siegfried and Sutton

A RESOLUTION supporting the 200+ years of Judeo-Christian tradition and its open expression in the U.S. Military.

WHEREAS, American history demonstrates the importance of open and unrestricted religious expression in the military, beginning with General George Washington even before the American founding and then continuing unabated thereafter; and

WHEREAS, The historical and constitutional emphasis on securing the rights of conscience and religious expression are for all citizens and does not exclude those in the military; and

WHEREAS, There is a recent documented trend of increasing hostility from special interests towards religious expressions by military service members and of restrictions on military chaplains, especially toward those of the Judeo-Christian tradition; and

WHEREAS, The Judeo-Christian tradition has been, and continues to be, the majority religion in the U.S.A. and its military; and

WHEREAS, American history has had a two-century policy of friendliness to and acceptance of faith and religious expression in the military, including its direct support through a professional chaplaincy; and

WHEREAS, The purpose of government is to protect the inalienable rights of every individual, including those in the military; the rights of conscience and religious expression are among those rights which government has a fundamental duty to protect, rather than infringe upon: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we strongly support the 200+ years of Judeo-Christian tradition and its open expression in the U.S. Military; and

Be it further resolved: That the Kansas House of Representatives expects its U.S. Legislators to fully support and aggressively defend the rights of religious conscience and the free exercise of the Judeo-Christian tradition in the U.S. Military and support the professional chaplaincy; and

Be it further resolved: That the Kansas House of Representatives expects the Adjutant General of Kansas to fully support and aggressively defend the rights of religious conscience and the free exercise of the Judeo-Christian tradition in the Kansas National Guard and support the professional chaplaincy; and

Be it further resolved: That the Kansas House of Representatives expects civilian and military leaders of the U.S. Military to fully support and aggressively defend the rights

of religious conscience and the free exercise of the Judeo-Christian tradition in the U.S. Military and support the professional chaplaincy; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide an enrolled copy of this resolution to the U.S. legislators representing Kansas, Adjutant General Tafanelli and Secretary of Defense, Chuck Hagel.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Schwab moved, pursuant to House Rule 2303, that the House reconsider its action in not adopting the conference committee report on **H Sub for SB 84** and the bill be returned to that order of business, Consideration of Conference Committee Reports (see House Journal, pages 1062-1083). The motion prevailed and the bill was returned to the original motion of Rep. Carlson under that order of business Consideration of Conference Committee Reports.

CONFERENCE COMMITTEE REPORT

The conference committee report on **H Sub for SB 84** was reconsidered (see report on pages 1062-1083 of the House Journal). On the original motion of Rep. Carlson to adopt the conference committee report. Rep. Schwab offered a substitute motion to not adopt the conference committee report and a new conference committee be appointed. The motion prevailed.

Speaker pro tem Mast thereupon appointed Reps. Carlson, Schwab and Menghini as fifth conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

On motion of Rep. Vickrey, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

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

MESSAGE FROM THE GOVERNOR

HB 2149, HB 2162; S Sub for HB 2199; HB 2249 approved on May 30, 2013.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **H Sub for SB 84** and has appointed Senators Tyson, Bruce and Holland as fifth conferees on the part of the Senate.

On motion of Rep. Vickrey, the House recessed until 5:15 p.m.

EARLY EVENING SESSION

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

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Saturday, June 1, 2013.

Journal of the House

SEVENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Saturday, June 1, 2013, 10:00 a.m.

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

The roll was called with 116 members present.

Rep. Osterman was excused on verified illness.

Reps. Barker, Bridges, Campbell, Concannon, Frownfelter, Kahrs, Lane and Montgomery were excused on excused absence by the Speaker.

Present later: Reps. Campbell, Concannon and Osterman.

Rep. Osterman was excused later in the day on verified illness.

Prayer by Chaplain Brubaker:

God,
normally on a Saturday I would be praying
for strength and safety in cutting the grass;
for energy and a good attitude towards
doing chores around the house;
and a spirit of common sense and frugality
as I go grocery shopping.
But, since I am here praying for our leaders,
I think the best prayer I can offer is...
“grant *us* the serenity
to accept the things *we* cannot change;
courage to change the things *we* can;
and wisdom to know the difference.”
Please grant us these things in Your Name,
Amen.

The Pledge of Allegiance was led by Rep. Christmann.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution was referred to committee as indicated:

Federal and State Affairs: **HR 6036**.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 171** 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 34;

By striking all in pages 2 through 4 and inserting;

"Section 1. (a) For the fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures 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) The provisions of this act relating to fiscal year 2014 shall be known and may be cited as the omnibus appropriation act of 2013 and shall constitute the omnibus reconciliation spending limit bill for the 2013 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:

Becker, Raymond C 468 Highway 20 W Lancaster, KS 66041.....	\$683.86
Fox, Daniel J 2086 Highland Ave Salina, KS 67401.....	\$104.52
Laidlaw Transit Inc 1548 E 23rd St Suite C Lawrence, KS 66046.....	\$34,552.67
Martin, Philip G 1848 12th Rd Clay Center, KS 67432.....	\$278.86

Midwestern Well Service Inc PO Box 263 Liberal, KS 67905.....	\$2,928.51
Reconserve of KS Inc 2811 Wilshire Blvd Ste 410 Santa Monica, CA 90403.....	\$627.59
Rissen, William E 24586 S Berryton Rd Lyndon, KS 66451.....	\$129.00
Stafford Community USD 349 318 E Broadway St Stafford, KS 67578.....	\$200.23
Strobel, John R 31464 N Hwy 59 Garnett, KS 66032.....	\$57.00
Trans Porte Inc 10410 S 50th Pl Phoenix, AZ 85044.....	\$3,212.59
USD 267 Renwick PO Box 68 Andale, KS 67001.....	\$146.72
Wamego Country Club PO Box 177 Wamego, KS 66547.....	\$275.18
Wichita Country Club PO Box 8105 Wichita, KS 67208.....	\$25.80
Wildcat Concrete Serv Inc PO Box 750075 Topeka, KS 66675.....	\$281.21
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 stolen by another inmate while under staff supervision to the following claimant:	
Patterson, Roger #30581 Hutchinson Correctional Facility PO Box 1568 Hutchinson, KS 67501.....	\$40.33

(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 lost by staff to the following claimant:

Rivera, Luis A. #95345

Hutchinson Correctional Facility

PO Box 1568

Hutchinson, KS 67501.....\$47.72

(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:

Jackson, William #89649

Hutchinson Correctional Facility

PO Box 1568

Hutchinson, KS 67501.....\$207.00

(d) 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:

Requena, Adrian

Hutchinson Correctional Facility

PO Box 1568

Hutchinson, KS 67501.....\$8.61

(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:

Francis, John #79594

Lansing Correctional Facility

PO Box 2

Lansing, KS 66043.....\$35.94

(f) 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 damaged by staff to the following claimant:

Gideon, Johnnie #91707

Lansing Correctional Facility

PO Box 2

Lansing, KS 66043.....\$118.30

(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 property lost by staff to the following claimant:

Hunter, Joe Larry #50830

Winfield Correctional Facility

1806 Pinecrest Circle

Winfield, KS 67156.....\$50.00

Sec. 4. (a) On July 1, 2013, the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue for incentive payments claimed from the Kansas retail dealers incentive fund created to provide incentives to Kansas retail fuel dealers who sell and dispense renewable fuels or biodiesel fuels to the following

claimant for a three-year period from 2014 to 2016:

Presto Oil, Inc. and Presto Convenience Stores, LLC
14008 Roeder St.

Overland Park, KS 66221..... \$160,731.98

(b) On July 1, 2014, the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue for incentive payments claimed from the Kansas retail dealers incentive fund created to provide incentives to Kansas retail fuel dealers who sell and dispense renewable fuels or biodiesel fuels to the following claimant for a three-year period from 2014 to 2016:

Presto Oil, Inc. and Presto Convenience Stores, LLC
14008 Roeder St.

Overland Park, KS 66221..... \$160,731.98

(c) On July 1, 2015, the department of revenue is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund of the department of revenue for incentive payments claimed from the Kansas retail dealers incentive fund created to provide incentives to Kansas retail fuel dealers who sell and dispense renewable fuels or biodiesel fuels to the following claimant for a three-year period from 2014 to 2016:

Presto Oil, Inc. and Presto Convenience Stores, LLC
14008 Roeder St.

Overland Park, KS 66221..... \$160,731.98

Sec. 5. (a) On July 1, 2013, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Hutchinson was owed for tax increment financing reimbursements to the following claimant for a three-year period from 2009 to 2011:

City Treasurer
City of Hutchinson
PO Box 1567

Hutchinson, KS 67504..... \$107,877.91

(b) On July 1, 2014, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Hutchinson was owed for tax increment financing reimbursements to the following claimant for a three-year period from 2009 to 2011:

City Treasurer
City of Hutchinson
PO Box 1567

Hutchinson, KS 67504..... \$107,877.91

(c) On July 1, 2015, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Hutchinson was owed for tax increment financing reimbursements to the following claimant for a three-year period from 2009 to 2011:

City Treasurer
City of Hutchinson
PO Box 1567

Hutchinson, KS 67504..... \$107,877.91

Sec. 6. On July 1, 2013, there is hereby appropriated from the state general fund,

as reimbursement for legal costs incurred for a sexually violent predator proceeding, to the following claimant:

County Treasurer

Sedgwick County

525 N. Main, Suite 325

Wichita, KS 67203..... \$36,840.43

Sec. 7. (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 7 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, and amendments thereto, as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 7 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. 8.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 58(a) of chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee fund of the abstracters' board of examiners is hereby decreased from \$24,742 to \$22,308.

Sec. 9.

BOARD OF ACCOUNTANCY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the board of accountancy fee fund of the board of accountancy is hereby increased from \$346,426 to \$364,455.

(b) On the effective date of this act, 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 board of accountancy is hereby decreased from 3.00 to 1.00.

Sec. 10.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 21(a) of chapter 175 of the 2012 Session Laws of Kansas on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,319,499 to \$4,314,775.

Sec. 11.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2013, by section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the cosmetology fee fund of the Kansas state board of cosmetology is hereby increased from \$500 to \$750.

Sec. 12.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 25(a) of chapter 175 of the 2012 Session Laws of Kansas on the credit union fee fund of the Kansas department of credit unions is hereby increased from \$1,037,437 to \$1,043,574.

Sec. 13.

KANSAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 68(a) of chapter 118 of the 2011 Session Laws of Kansas, on the hearing instrument board fee fund of the board of examiners in fitting and dispensing of hearing instruments is hereby decreased from \$29,181 to \$29,164.

(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:

Hearing instrument litigation fund.....\$7,000

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 14(b) of chapter 175 of the 2012 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,109,710 to \$2,105,593.

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, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby decreased from \$114,368 to \$91,114.

Sec. 16.

REAL ESTATE APPRAISAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the appraiser fee fund of the real estate appraisal board is hereby decreased from \$314,100 to \$293,500.

(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:

Appraisal management companies fee fund.....\$20,600

Sec. 17.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the real estate fee fund of the Kansas real estate commission is hereby decreased from \$1,131,121 to \$997,211.

(b) On the effective date of this act, 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 Kansas real estate commission is hereby decreased from 13.00 to 11.00.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On the effective date of this act, the expenditure limitation for the fiscal year ending June 30, 2013, by section 18(a) of chapter 175 of the 2012 Session Laws of Kansas on the technical professions fee fund of the state board of technical professions is hereby decreased from \$615,138 to \$614,683.

Sec. 19.

KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 78(a) of chapter 118 of the 2011 Session Laws of Kansas on the home inspectors registration fee fund of the Kansas home inspectors registration board is hereby decreased from \$16,800 to \$15,013.

Sec. 20.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$563,652 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 55(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$93 is hereby lapsed.

(b) On the effective date of this act, of the \$3,743,092 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 55(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$154,530 is hereby lapsed.

(c) On the effective date of this act, of the \$3,127,906 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 55(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$1,562 is hereby lapsed.

Sec. 21.

LEGISLATURE

(a) On the effective date of this act, of the \$16,680,245 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 56(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account, the sum of \$4,392 is hereby lapsed.

Sec. 22.

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.....\$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:

Kansas attorney general batterer intervention program certification fund.....No limit

(c) On the effective date of this act, the expenditure limitation for state operations established for the fiscal year ending June 30, 2013 by section 60(b) of chapter 175 of

the 2012 Session Laws of Kansas in the crime victims compensation fund of the attorney general is hereby increased from \$454,058 to \$646,058.

(d) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws of Kansas for the attorney general is hereby increased from 106.50 to 115.00.

(e) On the effective date of this act, notwithstanding any other statute, any equipment purchased by a grant recipient using moneys from the internet training education for Kansas kids account of the state general fund of the attorney general shall become the property of such grant recipient.

Sec. 23.

INSURANCE DEPARTMENT

(a) On the effective date of this act, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$15,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 24.

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.....	\$607,532
Assigned counsel expenditures.....	\$200,000

Sec. 25.

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.....	\$199,499
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Sec. 26.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the agency operations account of the non-retirement administration fund of the Kansas public employees retirement system is hereby increased from \$83,081 to \$83,376.

(b) On the effective date of this act, or as soon thereafter as moneys are available therefore, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,500,000 from the Kansas endowment for youth fund to the state general fund.

Sec. 27.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 69(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures account is hereby decreased from \$1,194,306 to \$1,183,442.

Sec. 28.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation 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 in the aggregate, as established in section 70(b) of chapter 175 of the 2012 Session Laws of Kansas, is hereby decreased from \$16,961,396 to \$16,952,609.

Sec. 29.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, of the \$1,602,035 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 72(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the personnel services account, the sum of \$65,608 is hereby lapsed.

(b) On the effective date of this act, of the \$483,885 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 125(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the replace Docking chillers account, the sum of \$243,885 is hereby lapsed.

(c) On the effective date of this act, of the \$13,502,124 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 125(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the statehouse improvements — debt service account, the sum of \$97,519 is hereby lapsed.

(d) 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:

State house improvements – debt service.....\$117,500

(e) On the effective date of this act, of the \$1,695,523 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 72(b) of chapter 175 of the 2012 Session Laws of Kansas from the expanded lottery act revenues fund in the public broadcasting digital conversion debt service account, the sum of \$117,523 is hereby lapsed.

(f) On the effective date of this act or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000,000 from the FICA reimbursements medical residents fund of the department of administration to the state general fund.

(g) 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:

Finney state office building Wichita security fund.....No limit

Public safety broadband services fund.....No limit

Sec. 30.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the COTA filing fee fund of the state court of tax appeals is hereby increased from \$1,025,373 to \$1,180,760.

Sec. 31.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas on the division of vehicles operating fund of the state department of

revenue is hereby increased from \$46,939,883 to \$48,139,472.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$6,751,952 from the state highway fund of the state department of transportation to the division of vehicles modernization fund of the state department of revenue.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws for the Kansas department of revenue is hereby decreased from 994.00 to 944.00.

Sec. 32.

KANSAS LOTTERY

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws of Kansas for the Kansas lottery is hereby decreased from 96.00 to 90.00.

(b) The director of accounts and reports shall not make the transfer of \$5,000,000 from the expanded lottery act revenues fund to the state general fund which was authorized to be made during the fiscal year ending June 30, 2013, and on the effective date of this act, the provisions of section 76(e) of chapter 175 of the 2012 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(c) On June 30, 2013, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the expanded lottery act revenues fund.

Sec. 33.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws of Kansas for the Kansas racing and gaming commission – state racing operations and expanded gaming regulation division is hereby decreased from 74.00 to 70.50.

(b) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws of Kansas for the Kansas racing and gaming commission – state gaming agency is hereby decreased from 24.00 to 23.00.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, no moneys appropriated for the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2013 shall be expended by the Kansas racing and gaming commission for the purposes of compensation of members of such commission for performing the duties and functions of the commission, except that such members shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 34.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2013, by section 117(a) of chapter 175 of the 2012 Session Laws of Kansas for the department of commerce is hereby decreased from 238.00 to 192.00.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 126(b) of chapter 175 of the 2012 Session Laws of Kansas on the rehabilitation and repair account of the Wagner Peyser employment services – federal fund of the department of commerce is hereby increased

from \$80,000 to no limit.

(c) On the effective date of this act, any unencumbered balance in excess of \$100 as of June 30, 2012, in the strong military bases program account of the state economic development initiatives fund is hereby reappropriated for fiscal year 2013.

(d) 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:

Rehabilitation and repair.....No limit
Sec. 35.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$383,069 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 80(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$103,085 is hereby lapsed.

Sec. 36.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$392,481 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 124(b)(1) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures – administration account, the sum of \$1,500 is hereby lapsed.

(b) On the effective date of this act, of the \$2,252,008 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 123(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas veterans' home account, the sum of \$24,200 is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Veterans claims assistance program – service grants.....\$24,200

(d) On the effective date of this act, of the \$274,585 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 150(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the soldiers' home rehabilitation and repair projects account, the sum of \$109,971 is hereby lapsed.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the veterans home federal fund of the Kansas commission on veterans affairs is hereby decreased from \$3,625,889 to \$1,469,822.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the soldiers home federal fund of the Kansas commission on veterans affairs is hereby increased from \$2,413,337 to \$5,204,680.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the veterans home fee fund of the Kansas commission on veterans affairs is hereby decreased from \$3,302,864 to \$3,222,248.

(h) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the soldiers home fee fund of the Kansas commission on veterans affairs is hereby decreased from \$1,747,955 to \$1,623,353.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the commission on veterans affairs federal fund of the Kansas commission on veterans affairs is hereby decreased from \$207,915 to \$188,395.

(j) 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 to the Vietnam war era veterans' recognition award fund. 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. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Newborn screening..... \$113

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$634,870,000 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 83(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$21,450,000 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 83(b) of chapter 175 of the 2012 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 \$3,698,812 to \$4,017,320.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 83(b) of chapter 175 of the 2012 Session Laws of Kansas on expenditures from the dependent care assistance program 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 \$430,916 to \$667,865.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 83(b) of chapter 175 of the 2012 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 \$64,826,805 to \$70,058,569.

(e) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$82,328
 Sec. 39.

DEPARTMENT OF HEALTH AND ENVIRONMENT—
 DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, the following:

Contamination remediation.....\$515
 Nonpoint source program.....\$2,607
 TMDL initiatives and use attainability analysis.....\$1,208

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Newborn screening.....\$221
 Sec. 40.

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.....\$225,553
 Alcohol and drug abuse services grants.....\$1,008,555
 Other medical assistance.....\$1,381,871
 Community based services.....\$1,388,816
 Kansas neurological institute – operating expenditures.....\$59,504
 Larned state hospital – operating expenditures.....\$20,798
 Osawatomie state hospital – operating expenditures.....\$850,311
 Rainbow mental health facility – operating expenditures.....\$714,011

(b) On the effective date of this act, of the \$175,661,600 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 85(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the LTC – medicaid assistance – NF account, the sum of \$19,918,995 is hereby lapsed.

(c) On the effective date of this act, of the \$126,577,754 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 85(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$20,363,924 is hereby lapsed.

(d) On the effective date of this act, of the \$10,200,226 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 85(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – operating expenditures account, the sum of \$50,256 is hereby lapsed.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) and section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for on the title XIX fund of the Kansas department for aging and disability services is hereby decreased from \$47,398,297 to \$46,542,666.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) and section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the Kansas neurological institute fee fund of the Kansas department for aging and disability services is hereby decreased from \$1,567,610 to \$1,523,400.

(g) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2013, by section 85(b) of chapter 175 of the 2012 Session Laws of Kansas on the Larned state hospital fee fund of the Kansas department for aging and disability services is hereby increased from \$4,466,618 to \$5,112,693.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) and section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the Osawatomie state hospital fee fund of the Kansas department for aging and disability services is hereby decreased from \$9,209,629 to \$8,359,891.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) and section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the Rainbow mental health facility fee fund of the Kansas department for aging and disability services is hereby decreased from \$2,426,570 to \$1,712,559.

(j) 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 neurological institute – foster grandparents program – federal fund.....	No limit
Osawatomie State Hospital – cottage revenue and expenditures fund.....	No limit

(k) 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:

Parsons state hospital and training center – energy confservation improvement debt service.....	\$66,279
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(l) During the fiscal year ending June 30, 2013, 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.

Sec. 41.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$30,133,787 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 86(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$1,698,000 is hereby lapsed.

(b) There is appropriated for the above agency (b) from the state general fund for the fiscal year ending June 30, 2013, the following:

Youth services aid and assistance	\$1,587,806
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(c) On the effective date of this act, of the \$519,325 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 86(c) of chapter 175 of the 2012 Session Laws of Kansas from the children's initiatives fund in the children's cabinet accountability fund account, the sum of \$26,589 is hereby lapsed.

(d) On the effective date of this act, of the \$66,584 appropriated for the above

agency for the fiscal year ending June 30, 2013, by section 86(c) of chapter 175 of the 2012 Session Laws of Kansas from the children's initiatives fund in the early head start account, the sum of \$4,374 is hereby lapsed.

(e) On the effective date of this act, of the \$18,179,410 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 86(c) of chapter 175 of the 2012 Session Laws of Kansas from the children's initiatives fund in the early childhood block grant account, the sum of \$3,135 is hereby lapsed.

(f) On the effective date of this act, of the \$256,637 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 86(c) of chapter 175 of the 2012 Session Laws of Kansas from the children's initiatives fund in the reading roadmap program account, the sum of \$14,936 is hereby lapsed.

(g) On the effective date of this act, of the \$94,621,395 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 86(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$82,328 is hereby lapsed.

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, 2013, the following:

KPERS – employer contributions.....	\$2,054,214
General state aid.....	\$21,292,000
State match for Ft. Riley school construction.....	\$1,500,000

(b) On the effective date of this act, of the \$700,000 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 88(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the moving expenses account, the sum of \$613,418 is hereby lapsed.

(c) On the effective date of this act, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 88(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the technical education transportation account, is hereby lapsed.

(d) On the effective date of this act, of the \$6,012,355 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 88(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account, the sum of \$1,518,640 is hereby lapsed.

(e) On the effective date of this act, 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:

Technical education transportation state aid – state highway fund.....	No limit
Education technology coordinator fund.....	No limit

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$600,000 from the state highway fund of the department of transportation to the technical education transportation state aid – state highway fund of the department of education.

(g) On the effective date of this act, or as soon thereafter as moneys are available,

the director of accounts and reports shall transfer \$44,441 from the KAN-ED fund of the state board of regents to the education technology coordinator fund of the department of education.

Sec. 43.

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:

Incentive for technical education.....	\$1,500,000
Tuition for technical education.....	\$11,750,000

Sec. 44.

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.....	\$18,790
Topeka correctional facility – facilities operations.....	\$23,254
Hutchinson correctional facility – facilities operations.....	\$34,487
Lansing correctional facility – facilities operations.....	\$46,961
Ellsworth correctional facility – facilities operations.....	\$28,705
Winfield correctional facility – facilities operations.....	\$23,763
Norton correctional facility – facilities operations.....	\$30,435
El Dorado correctional facility – facilities operations.....	\$54,839
Larned correctional mental health facility – facilities operations.....	\$21,997

(b) On the effective date of this act, 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:

Community awareness project—federal fund.....	No limit
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(c) On the effective date of this act, of the \$24,360,048 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 103(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,790,652 is hereby lapsed.

(d) On the effective date of this act, of the \$49,784,426 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 103(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the treatment and programs account, the sum of \$144 is hereby lapsed.

(e) On the effective date of this act, of the \$126,786 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 143(b) of chapter 175 of the 2012 Session Laws of Kansas from the correctional institutions building fund in the debt service payment for the prison capacity expansion projects bond issue account, the sum of \$1,024 is hereby lapsed.

(f) On the effective date of this act, of the \$1,689,697 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 163(b) of chapter 118 of the 2011 Session Laws of Kansas from the correctional institutions building fund in the debt service payment for the revenue refunding bond issues account, the sum of \$66,816 is hereby lapsed.

(g) On the effective date of this act, during the fiscal year ending June 30, 2013,

expenditures may be made by the above agency from the department of corrections forensic psychologist fund for general health care contract expenses.

Sec. 45.

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:

Kansas juvenile correctional complex facility operations.....	\$48,917
Larned juvenile correctional facility operations.....	\$27,021

(b) On the effective date of this act, of the \$23,524,240 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 104(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the purchase of services account, the sum of \$203,559 is hereby lapsed.

Sec. 46.

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:

Civil air patrol – operating expenditures.....	\$384
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(b) On the effective date of this act, of the \$4,587,104 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 105(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$384 is hereby lapsed.

(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:

General fees fund.....	No limit
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Sec. 47.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the fire marshal fee fund of the state fire marshal is hereby decreased from \$3,617,751 to \$3,576,513.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the hazardous material program fund of the state fire marshal is hereby decreased from \$373,763 to \$352,784.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the state fire marshal liquefied petroleum gas fee fund of the state fire marshal is hereby decreased from \$189,102 to \$170,814.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$59,714 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

(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 2013 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 to the director of accounts and reports during fiscal year 2013, the director of the budget shall transmit a copy of such certification to the director of legislative research: *Provided further*, That on the effective date of this act, the provisions of section 106(e) of chapter 175 of the 2012 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 48.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$315,986 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol.

(b) 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:

Roof replacement – Salina.....\$505,322

Sec. 49.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$450,000 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 108(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the meth lab cleanup account, the sum of \$384,785 is hereby lapsed.

Sec. 50.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the emergency medical services operating fund of the emergency

medical services board is hereby decreased from \$1,342,408 to \$1,322,222.

Sec. 51.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, the following:

Interstate water issues.....\$3,110
 Basin management.....\$5,058

Sec. 52.

STATE FAIR BOARD

(a) 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.....\$8,966

Sec. 53.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) 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 travel/tourism operating expense.....\$98,094
 State parks operating expense.....\$132,075

(b) On the effective date of this act, of the \$3,445,734 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 123(a) of chapter 175 of the 2012 Session Laws of Kansas from the state economic development initiatives fund in the operating expense account, the sum of \$230,169 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the parks fee fund of the Kansas department of wildlife, parks and tourism is hereby increased from \$5,636,603 to \$5,965,933.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the boating fee fund of the Kansas department of wildlife, parks and tourism is hereby decreased from \$1,073,000 to \$929,526.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) of chapter 175 of the 2012 Session Laws of Kansas for the wildlife fee fund of the Kansas department of wildlife, parks and tourism is hereby increased from \$26,040,564 to \$26,142,469.

(f) On the effective date of this act, of the \$1,785,473 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 115(c) of chapter 175 of the 2012 Session Laws of Kansas from the expanded lottery act revenues fund in the cabin loan payoff account, the sum of \$27,431 is hereby lapsed.

Sec. 54.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 123(b) and section 124(c) of chapter 175 of the 2012 Session Laws of Kansas for the agency operations account of the state highway fund of the department of transportation is hereby decreased from \$286,159,433 to \$257,340,724.

Sec. 55. (a) The director of accounts and reports shall not make the transfer of \$1,000,000 prescribed to be transferred from the state general fund to the workers

compensation fund of the insurance department by section 131(b)(2) of chapter 124 of the 2009 Session Laws of Kansas, which was directed to be made on or before June 30, 2012, on a date certified by the director of the budget for the purpose of repaying 25% of the amount transferred from the workers compensation fund to the state general fund pursuant to section 10(a) of chapter 3 of the 2003 Session Laws of Kansas. On the effective date of this act, the provisions of section 131(b)(2) of chapter 124 of the 2009 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 56. (a) On the effective date of this act, of the \$7,158,744 appropriated for the department of social and rehabilitation services 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 early childhood discretionary grant program account, the sum of \$270 is hereby lapsed.

Sec. 57.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal years specified 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:

Abstracters' fee fund	
For the fiscal year ending June 30, 2014.....	\$21,816
For the fiscal year ending June 30, 2015.....	\$21,471

Sec. 58.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Board of accountancy fee fund	
For the fiscal year ending June 30, 2014.....	\$353,541
<i>Provided</i> , That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$1,000.	

For the fiscal year ending June 30, 2015.....	\$354,728
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Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund

For the fiscal year ending June 30, 2014.....	No limit
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Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2014, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2015.....No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2015, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2014, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2014, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys 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.

(c) During the fiscal year ending June 30, 2015, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2015, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys 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.

Sec. 59.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Bank commissioner fee fund

For the fiscal year ending June 30, 2014.....\$11,256,037

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2014, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2014, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2015.....\$11,370,412

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2015, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2015, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund

For the fiscal year ending June 30, 2014.....No limit

For the fiscal year ending June 30, 2015.....No limit

Consumer education settlement fund

For the fiscal year ending June 30, 2014.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2014, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2015.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2015, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund

For the fiscal year ending June 30, 2014.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2014, 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, during the fiscal year ending June 30. 2014, 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.

For the fiscal year ending June 30, 2015.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2015, 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, during the fiscal year ending June 30, 2015, 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.

(b) During the fiscal years ending June 30, 2014, and June 30, 2015, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the

credit of the consumer education settlement fund.

Sec. 60.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Board of barbering fee fund

For the fiscal year ending June 30, 2014.....\$153,575
 For the fiscal year ending June 30, 2015.....\$153,609

Sec. 61.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Behavioral sciences regulatory board fee fund

For the fiscal year ending June 30, 2014.....\$639,872

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$500: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2014, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2014: And provided further, That, notwithstanding the provisions of K.S.A. 74-5311, and amendments thereto, or any other statute, expenditures may be made from the behavioral sciences regulatory board fee fund for the above agency to require that fees paid for any examination under the licensure of psychologists act of the state of Kansas be paid directly to the examination service by the person taking the examination.

For the fiscal year ending June 30, 2015.....\$661,334

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$500: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2015, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2015.

Sec. 62.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Healing arts fee fund

For the fiscal year ending June 30, 2014.....\$4,300,856

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2014, for

disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2014.

For the fiscal year ending June 30, 2015.....\$4,346,876

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2015, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2015: *And provided further*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2015, for a statewide education initiative to address management of chronic pain shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2015.

Sec. 63.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Cosmetology fee fund

For the fiscal year ending June 30, 2014.....\$764,220

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$750.

For the fiscal year ending June 30, 2015.....\$763,832

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$750.

Sec. 64.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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 union fee fund

For the fiscal year ending June 30, 2014.....\$1,112,248

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2015.....\$1,126,345

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$300.

Sec. 65.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Dental board fee fund

For the fiscal year ending June 30, 2014.....\$379,875

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2015..... \$391,037
Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$500.

Special litigation reserve fund
For the fiscal year ending June 30, 2014.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2014, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2015.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2015, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2014, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2014, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys 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.

(c) During the fiscal year ending June 30, 2015, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2015, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys 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.

Sec. 66.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Mortuary arts fee fund	
For the fiscal year ending June 30, 2014.....	\$286,893
For the fiscal year ending June 30, 2015.....	\$288,647

Sec. 67.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Hearing instrument board fee fund

For the fiscal year ending June 30, 2014.....	\$28,939
For the fiscal year ending June 30, 2015.....	\$27,919

Sec. 68.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Board of nursing fee fund

For the fiscal year ending June 30, 2014.....	\$2,144,988
<i>Provided</i> , That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$500.	

For the fiscal year ending June 30, 2015.....	\$2,131,545
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Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$500.

Gifts and grants fund

For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Education conference fund

For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Criminal background and fingerprinting fund

For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Sec. 69.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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 fee fund

For the fiscal year ending June 30, 2014.....	\$86,856
<i>Provided</i> , That expenditures from the optometry fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$600.	

For the fiscal year ending June 30, 2015.....	\$84,747
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Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$600.

Optometry litigation fund	
For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit
Criminal history fingerprinting fund	
For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Sec. 70.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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 board of pharmacy fee fund	
For the fiscal year ending June 30, 2014.....	\$821,149

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$1,500.

For the fiscal year ending June 30, 2015.....	\$828,922
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Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$1,500.

State board of pharmacy litigation fund	
For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Harold Rogers prescription federal fund	
For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

NASPER grant federal fund	
For the fiscal year ending June 30, 2014.....	No limit
For the fiscal year ending June 30, 2015.....	No limit

Non-federal gifts and grants fund	
For the fiscal year ending June 30, 2014.....	No limit

Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2014: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each 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: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2014 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 state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2015.....	No limit
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Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2015: *Provided, however*, That the board shall remit all moneys received under this proviso to

the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each 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: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2015 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 state board of pharmacy or a person designated by the president.

SAMSHA PMP integration federal fund
 For the fiscal year ending June 30, 2014.....No limit
 For the fiscal year ending June 30, 2015.....No limit
 Sec. 71.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Appraiser fee fund
 For the fiscal year ending June 30, 2014.....\$288,788
Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2015.....\$286,530
Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$500.

Federal registry clearing fund
 For the fiscal year ending June 30, 2014.....No limit
 For the fiscal year ending June 30, 2015.....No limit

AMC federal registry clearing fund
 For the fiscal year ending June 30, 2014.....No limit
 For the fiscal year ending June 30, 2015.....No limit

Appraisal management companies fee fund
 For the fiscal year ending June 30, 2014.....\$20,726
 For the fiscal year ending June 30, 2015.....\$31,695
 Sec. 72.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Real estate fee fund
 For the fiscal year ending June 30, 2014.....\$1,013,133
Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$200.

For the fiscal year ending June 30, 2015.....\$1,013,133
Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$200.

Real Estate recovery revolving fund

For the fiscal year ending June 30, 2014.....No limit
 For the fiscal year ending June 30, 2015.....No limit

Background investigation fee fund

For the fiscal year ending June 30, 2014.....No limit

Provided, That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

For the fiscal year ending June 30, 2015.....No limit

Provided, That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

Sec. 73.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Securities act fee fund

For the fiscal year ending June 30, 2014.....\$2,892,119

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2015.....\$2,891,289

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$2,000.

Investor education fund

For the fiscal year ending June 30, 2014.....No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$5,000.

For the fiscal year ending June 30, 2015.....No limit

Provided, That expenditures from the investor education fund for the fiscal year ending June 30, 2015, for official hospitality shall not exceed \$5,000.

Sec. 74.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Technical professions fee fund

For the fiscal year ending June 30, 2014.....\$621,320

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2014, for official hospitality shall not exceed \$3,000.

For the fiscal year ending June 30, 2015.....\$633,827

Provided, That expenditures from the technical professions fee fund for the fiscal

year ending June 30, 2015, for official hospitality shall not exceed \$2,000.

Special litigation reserve fund
For the fiscal year ending June 30, 2014.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2014, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2015.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2015, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 75.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Veterinary examiners fee fund
For the fiscal year ending June 30, 2014.....\$295,114

Provided, That, in addition to the other purposes for which expenditures may be made by the state board of veterinary examiners from the veterinary examiners fee fund for fiscal year 2014, expenditures shall be made by the above agency from the veterinary examiners fee fund for fiscal year 2014 for the formation of a task force to study and determine the best location of the state board of veterinary examiners, and for administration efficiency as well as the protection of public safety, health and welfare: *Provided further*; That the task force members shall be as follows: One member appointed by the governor, the executive director of the American association of veterinary state boards, the vice president of the state board of veterinary examiners, the Kansas animal health commissioner, and the executive vice president of the Kansas veterinary medical association: *And provided further*; That the task force shall establish veterinary licensing agency performance benchmarks; examine and evaluate national data pertaining to the performance of all 50 veterinary state boards and the correlations to agency organizational structures; study and make recommendations for organizational structures and approaches that most optimize the performance of

agencies; and develop a specific strategy for the optimization of administrative efficiencies and oversight for the state board of veterinary examiners: *And provided further*; That the members of the task force shall serve without compensation or any other allowances authorized under the provisions of article 32 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto: *And provided further*; That the task force shall submit the findings and recommendations of the task force to the house committee on appropriations and the senate committee on ways and means during the 2014 regular legislative session.

For the fiscal year ending June 30, 2015.....\$295,114

Provided, That, if the task force created to study and determine the best location of the state board of veterinary examiners recommends that such board's powers, duties and functions be transferred and be a part of another state agency, and the governor and legislature approve of such transfer, then the secretary of administration shall certify such transfer and direct the director of accounts and reports to transfer \$295,114 from the veterinary examiners fee fund to the operating expenditures account of the state general fund or appropriate special revenue fund in the state treasury of such state agency to which the state board of veterinary examiners is being transferred: *Provided further*; That at the same time as the secretary of administration transmits any certification under this subsection to the director of accounts and reports during fiscal year 2014 or 2015, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 76.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures

For the fiscal year ending June 30, 2014.....\$364,005

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

For the fiscal year ending June 30, 2015.....\$367,801

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Governmental ethics commission fee fund

For the fiscal year ending June 30, 2014.....\$242,194

For the fiscal year ending June 30, 2015.....\$252,968

Sec. 77.

KANSAS HOME INSPECTORS REGISTRATION BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified 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:

Home inspectors registration fee fund

For the fiscal year ending June 30, 2014.....\$15,007

For the fiscal year ending June 30, 2015.....	\$15,007
Sec. 78. <i>Position limitations.</i> 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 years specified made in this or other appropriation act of the 2013 or 2014 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council:	
Abstracters' Board of Examiners	
For the fiscal year ending June 30, 2014.....	0.00
For the fiscal year ending June 30, 2015.....	0.00
Board of Accountancy	
For the fiscal year ending June 30, 2014.....	1.00
For the fiscal year ending June 30, 2015.....	1.00
State Bank Commissioner	
For the fiscal year ending June 30, 2014.....	109.00
For the fiscal year ending June 30, 2015.....	109.00
Kansas Board of Barbering	
For the fiscal year ending June 30, 2014.....	1.50
For the fiscal year ending June 30, 2015.....	1.50
Behavioral Sciences Regulatory Board	
For the fiscal year ending June 30, 2014.....	9.00
For the fiscal year ending June 30, 2015.....	9.00
State Board of Healing Arts	
For the fiscal year ending June 30, 2014.....	45.00
For the fiscal year ending June 30, 2015.....	45.00
Kansas State Board of Cosmetology	
For the fiscal year ending June 30, 2014.....	11.00
For the fiscal year ending June 30, 2015.....	11.00
State Department of Credit Unions	
For the fiscal year ending June 30, 2014.....	12.00
For the fiscal year ending June 30, 2015.....	12.00
Kansas Dental Board	
For the fiscal year ending June 30, 2014.....	3.00
For the fiscal year ending June 30, 2015.....	3.00
State Board of Mortuary Arts	
For the fiscal year ending June 30, 2014.....	3.00
For the fiscal year ending June 30, 2015.....	3.00
Board of Nursing	
For the fiscal year ending June 30, 2014.....	26.00
For the fiscal year ending June 30, 2015.....	26.00
Board of Examiners in Optometry	
For the fiscal year ending June 30, 2014.....	0.80
For the fiscal year ending June 30, 2015.....	0.80
State Board of Pharmacy	
For the fiscal year ending June 30, 2014.....	8.00
For the fiscal year ending June 30, 2015.....	8.00
Real Estate Appraisal Board	
For the fiscal year ending June 30, 2014.....	2.00

For the fiscal year ending June 30, 2015.....	2.00
Kansas Real Estate Commission	
For the fiscal year ending June 30, 2014.....	11.00
For the fiscal year ending June 30, 2015.....	11.00
Office of the Securities Commissioner of Kansas	
For the fiscal year ending June 30, 2014.....	30.00
For the fiscal year ending June 30, 2015.....	30.00
State Board of Technical Professions	
For the fiscal year ending June 30, 2014.....	5.00
For the fiscal year ending June 30, 2015.....	5.00
State Board of Veterinary Examiners	
For the fiscal year ending June 30, 2014.....	4.00
For the fiscal year ending June 30, 2015.....	4.00
Governmental Ethics Commission	
For the fiscal year ending June 30, 2014.....	7.50
For the fiscal year ending June 30, 2015.....	7.50
Kansas Home Inspectors Registration Board	
For the fiscal year ending June 30, 2014.....	0.00
For the fiscal year ending June 30, 2015.....	0.00

Sec. 79.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

 Legislative coordinating council – operations.....\$561,231

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

 Legislative research department – operations.....\$3,668,568

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

 Office of revisor of statutes – operations.....\$3,158,662

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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. 80.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

 Legislative coordinating council – operations.....\$564,782

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for

fiscal year 2015.

Legislative research department – operations.....\$3,692,051
Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 20145

Office of revisor of statutes – operations.....\$3,177,613
Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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. 81.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operations (including official hospitality).....\$12,909,091
Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 2014 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 46-137b, and amendments thereto, or any other statute, no expenditures shall be made from this account for allowances under K.S.A. 46-137b, and

amendments thereto, for more than the following number of days in connection with discharging the duties assigned to the respective legislative officers in addition to days during the regular session or any special session, or for days for attendance at interim committee meetings during fiscal year 2014: The president of the senate and speaker of the house of representatives, not more than 30 days for each such officer; the majority and minority leaders of the senate and the house of representatives, not more than 20 days for each such officer; the speaker pro tem of the house of representatives and vice-president of the senate, not more than 10 days for each such officer; the assistant majority and minority leaders of the senate and house of representatives, not more than 5 days for each such officer; and no days for any other legislator in a leadership position of the senate or house of representatives: *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 2014: *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 2014: *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 2014: *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 2014.

Legislative information system.....\$4,495,108

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 2014 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 46-137b, and amendments thereto, or any other statute, no expenditures shall be made from this fund for allowances under K.S.A. 46-137b, and amendments thereto, for more than the following number of days in connection with discharging the duties assigned to the respective legislative officers in addition to days during the regular session or any special session, or for days for attendance at interim committee meetings during fiscal year 2014: The president of the senate and speaker of the house of representatives, not more than 30 days for each such officer; the majority and minority leaders of the senate and the house of representatives, not more than 20 days for each such officer; the speaker pro tem of the house of representatives and vice-president of the senate, not more than 10 days for each such officer; the assistant majority and minority leaders of the senate and house of representatives, not more than 5 days for each such officer; and no days for any other legislator in a leadership position of the senate or house of representatives: *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 2014: *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 2014: *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 2014: *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 2014.

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. 82.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operations (including official hospitality).....\$12,995,382

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 2015 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 46-137b, and amendments thereto, or any other statute, no expenditures shall be made from this account for allowances under K.S.A. 46-137b, and amendments thereto, for more than the following number of days in connection with discharging the duties assigned to the respective legislative officers in addition to days during the regular session or any special session, or for days for attendance at interim committee meetings during fiscal year 2015: The president of the senate and speaker of the house of representatives, not more than 30 days for each such officer; the majority and minority leaders of the senate and the house of representatives, not more than 20 days for each such officer; the speaker pro tem of the house of representatives and vice-president of the senate, not more than 10 days for each such officer; the assistant majority and minority leaders of the senate and house of representatives, not more than 5 days for each such officer; and no days for any other legislator in a leadership position of the senate or house of representatives: *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 2015: *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 2015: *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 2015: *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 2015.

Legislative information system.....\$4,512,330

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 2015 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 46-137b, and amendments thereto, or any other statute, no expenditures shall be made from this fund for allowances under K.S.A. 46-137b, and amendments thereto, for more than the following number of days in connection with discharging the duties assigned to the respective legislative officers in addition to days during the regular session or any special session, or for days for attendance at interim committee meetings during fiscal year 2015: The president of the senate and speaker of the house of representatives, not more than 30 days for each such officer; the majority and minority leaders of the senate and the house of representatives, not more than 20 days for each such officer; the speaker pro tem of the house of representatives and vice-president of the senate, not more than 10 days for each such officer; the assistant majority and minority leaders of the senate and house of representatives, not more than 5 days for each such officer; and no days for any other legislator in a leadership position of the senate or house of representatives: *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 2015: *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 2015: *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 2015: *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 2015.

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. 83.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operations (including legislative post audit committee).....\$2,209,038

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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. 84.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operations (including legislative post audit committee).....\$2,209,038

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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. 85.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Governor's department.....\$2,187,173

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$3,759,848

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$833,673

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.

Lieutenant governor – operations.....\$170,083

Provided, That any unencumbered balance in the operations account of the Lieutenant governor in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(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, 2014, by subsection (a) from the state general fund in the governor's department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2014, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.

Lieutenant governor special programs fund.....No limit

Provided, That expenditures may be made from the lieutenant governor 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 lieutenant governor special program 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

(e) 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, 2014, in the lieutenant governor – operations account without limit at the discretion of the lieutenant governor.

Sec. 86.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Governor's department.....\$2,189,856

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$3,758,570

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$833,709

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.

Lieutenant governor – operations.....\$170,083

Provided, That any unencumbered balance in the operations account of the Lieutenant governor in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(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, 2015, by subsection (a) from the state general fund in the governor's department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2015, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.

Lieutenant governor special programs fund.....No limit

Provided, That expenditures may be made from the lieutenant governor 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 lieutenant governor special program 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

(e) 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, 2015, in the lieutenant governor – operations account without limit at the discretion of the lieutenant governor.

Sec. 87.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$5,039,165

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$75,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Abuse, neglect and exploitation unit.....\$108,888

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.

Child abuse grants.....\$75,000

Child exchange and visitation centers.....\$128,000

Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2014, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse.....\$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 \$471,058: *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.
- Kansas attorney general batterer intervention program certification fund.....No limit
 - 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. 2012 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
Roofing contractor registration fund.....	No limit
Human trafficking victim assistance fund.....	\$0
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
Ed Byrne memorial JAG – ARRA 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. 2012 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
DOT prohibit racial profiling.....	No limit

(c) During the fiscal year ending June 30, 2014, 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, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000 from the Kansas endowment for youth fund to the sexually violent predator expense fund of the attorney general.

(f) During the fiscal year ending June 30, 2014, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2014 from the state general fund for the attorney general to another item of appropriation for fiscal year 2014 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.

(g) July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$6,000,000 from the court cost fund of the attorney general to the state general fund.

(h) On July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 75-7c13, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the concealed handgun licensure fund of the attorney general to the state general fund.

(i) On July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 88.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....	\$4,328,627
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: <i>Provided, however</i> ; That expenditures from this account for official hospitality shall not exceed \$2,000.	
Litigation costs.....	\$76,826
<i>Provided</i> , That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.	
Internet training education for Kansas kids.....	\$290,091
<i>Provided</i> , That any unencumbered balance in the internet training education for Kansas kids account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.	
Abuse, neglect and exploitation unit.....	\$107,168
<i>Provided</i> , That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: <i>Provided further</i> ; 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.

Child abuse grants.....\$75,000
 Child exchange and visitation centers.....\$128,000

Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2015, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse.....\$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 \$471,058: *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.

Kansas attorney general batterer intervention program certification fund.....	No limit
Debt collection administration cost recovery fund.....	No limit
<i>Provided</i> , 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
<i>Provided</i> , 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: <i>Provided further</i> , That, notwithstanding the provisions of K.S.A. 2012 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
<i>Provided</i> , 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
Roofing contractor registration fund.....	No limit
Human trafficking victim assistance fund.....	\$0
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
 Ed Byrne memorial JAG – ARRA 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. 2012 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
 DOT prohibit racial profiling.....No limit

(c) During the fiscal year ending June 30, 2015, 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, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000 from the Kansas endowment for youth fund to the sexually violent predator expense fund of the attorney general

(f) During the fiscal year ending June 30, 2015, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2015 from the state general fund for the attorney general to another item of appropriation for fiscal year 2015 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.

(g) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the court cost fund of the attorney general to the state general fund.

(h) On July 1, 2014, notwithstanding the provisions of K.S.A. 2012 Supp. 75-7c13, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$400,000 from the concealed handgun licensure fund of the attorney general to the state general fund.

(i) On July 1, 2014, notwithstanding the provisions of K.S.A. 2012 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

(j) On July 1, 2014, the director of accounts and reports shall transfer \$30,000 from the debt collection administration cost recovery fund of the attorney general to the state general fund.

Sec. 89.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
<i>Provided</i> , 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

(b) During the fiscal year ending June 30, 2014, 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 2014 by the above agency by this or other appropriation act of the 2013 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 2014 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 90.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
<i>Provided</i> , 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
<i>Provided</i> , 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

(b) During the fiscal year ending June 30, 2015, 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 2015 by the above agency by this or other appropriation act of the 2013 or 2014 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 2015 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 91.

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, 2014, 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.....	\$1,559,572
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Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2014, the state treasurer is hereby authorized and directed to credit the first \$1,559,572 received and deposited in the state treasury to

the state treasurer operating fund: *Provided further*, 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 2014 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2014 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 et seq., 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, 2014, 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, 2014, 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
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 2012 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 2014, 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 2014, 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. 2012 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. 2012 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. 2012 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2014, 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 2014, 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. 2012 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 2014, 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. 2012 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 2014, 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. 2012 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 2014, 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. 2012 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 2014, 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. 2012 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 2014, 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. 2012 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, 2014, 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 2014, 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 2014 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 2014, 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. 92.

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, 2015, 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.....\$1,565,537

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2015, the state treasurer is hereby authorized and directed to credit the first \$1,565,537 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, 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 2015 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2015 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 et seq., 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 *ad valorem* 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

Provided, 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, 2015, 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, 2015, 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. 2012 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 2015, 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 2015, 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. 2012 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.

2012 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. 2012 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2015, 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 2015, 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. 2012 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 2015, 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. 2012 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 2015, 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. 2012 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 2015, 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. 2012 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 2015, 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. 2012 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 2015, 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. 2012 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, 2015, 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 2015, 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 2015 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 2015, 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. 93.

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, 2014, 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 2014 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) "2014 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 2014; (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) "2014 repayment amount" means the difference between the 2014 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 2014 shall not exceed the 2008 payment amount: *And provided further*; That the commissioner of insurance shall certify the 2014 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 2014 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

Private grants and gifts 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 2014 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.

- 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

(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 2014 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 2014 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.

(c) On July 1, 2013, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the insurance department service regulation fund of the

insurance department to the state general fund.

Sec. 94.

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, 2015, 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 2015 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) "2015 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 2015; (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) "2015 repayment amount" means the difference between the 2015 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 2015 shall not exceed the 2008 payment amount: *And provided further*; That the commissioner of insurance shall certify the 2015 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 2015 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
 Private grants and gifts 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 2015 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.

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

(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 2015 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 2015 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.

(c) On July 1, 2014, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 95.

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, 2014, 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, 2014, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures.....\$1,741,191

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. 96.

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, 2015, 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, 2015, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures.....\$1,750,430

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. 97.

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, 2014, 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 June 30, 2014, 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, 2014, 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. 98.

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, 2015, 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 June 30, 2015, 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, 2015, 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. 99.

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, 2014, the following:

Operating expenditures.....\$12,675,527

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$8,700,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2014: *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.....\$1,130,383

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the capital defense operations account is hereby reappropriated for fiscal year 2014:

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
Indigents' defense services operations.....	\$156,847

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2014: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
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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, 2014, 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, 2014, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2014 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. 100.

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, 2015, the following:

Operating expenditures.....	\$12,759,680
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$8,700,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2015: *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.....\$1,138,926

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the capital defense operations account is hereby reappropriated for fiscal year 2015: *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

Indigents' defense services operations.....\$156,847

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2015: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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, 2015, 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, 2015, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2015 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. 101.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Judiciary operations.....\$106,521,346

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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: *And provided further*; That, if 2013 House Bill No. 2204, or any other legislation which grants the courts the authority to impose and collect a surcharge, is passed by the legislature during the 2013 regular session and enacted into law, then on July 1, 2013, of the \$106,521,346 appropriated for the above agency for the fiscal year ending June 30, 2014, by this section from the state general fund in the judiciary operations account, the sum of \$10,000,000 is hereby lapsed: *And provided further*; That in addition to other purposes for which expenditures may be made by the judicial branch from the judiciary operations account for fiscal year 2014, expenditures shall be made by the judicial branch from the judiciary operations account for fiscal year 2014 to fund the 14th court of appeals judge position and support staff.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
SJI grant 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 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
Judicial branch docket fee fund.....	No limit

(c) During the fiscal year ending June 30, 2014, notwithstanding the provisions of K.S.A. 5-517, 20-166, 20-362, 20-367, 28-172b, 74-7325, 74-7334 or 75-7021, and amendments thereto, or any other statute, all moneys received from docket fees charged and collected by the clerks of the district courts to be deposited and credited in the access to justice fund, juvenile detention facilities fund, judicial branch education fund, crime victims assistance fund, protection from abuse fund, judiciary technology fund, dispute resolution fund, Kansas juvenile delinquency prevention trust fund, permanent families account in the family and children investment fund, trauma fund, child exchange and visitation centers fund, judicial branch nonjudicial salary adjustment fund, judicial branch nonjudicial salary initiative fund and indigents' defense services fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the judicial branch docket fee fund.

Sec. 102.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Judiciary operations.....\$106,863,948

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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: *And provided further*, That, if 2013 House Bill No. 2204, or any other legislation which grants the courts the authority to impose and collect a surcharge, is passed by the legislature during the 2013 regular session and enacted into law, then on July 1, 2013, of the \$106,863,948 appropriated for the above agency for the fiscal year ending June 30, 2015, by this section from the state general fund in the judiciary operations account, the sum of \$11,080,000 is hereby lapsed: *And provided further*, That in addition to other purposes for which expenditures may be made by the judicial branch from the judiciary operations account for fiscal year 2015, expenditures shall be made by the judicial branch from the judiciary operations account for fiscal year 2015 to fund the 14th court of appeals judge position and support staff.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
SJI grant 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 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
Judicial branch docket fee fund.....	No limit

(c) During the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 5-517, 20-166, 20-362, 20-367, 28-172b, 74-7325, 74-7334 or 75-7021, and amendments thereto, or any other statute, all moneys received from docket fees charged and collected by the clerks of the district courts to be deposited and credited in the access to justice fund, juvenile detention facilities fund, judicial branch education fund, crime victims assistance fund, protection from abuse fund, judiciary technology fund, dispute resolution fund, Kansas juvenile delinquency prevention trust fund, permanent families account in the family and children investment fund, trauma fund, child exchange and visitation centers fund, judicial branch nonjudicial salary adjustment fund, judicial branch nonjudicial salary initiative fund and indigents' defense services fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the judicial branch docket fee fund.

Sec. 103.

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, 2014, the following:

13th retirement check – debt service.....\$3,206,406

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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

Provided, 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 2014: *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, 2014.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2014, for the following specified purposes:

Agency operations.....\$11,540,865

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, 2014, for the following specified purposes:

Agency operations.....\$94,343

Investment-related expenses.....No limit

(e) On July 1, 2013, 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, 2013, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund

is hereby increased to \$56,100,000.

Sec. 104.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
- Provided*, 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 2015: *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, 2015.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2015, for the following specified purposes:

Agency operations.....\$11,589,460

Provided, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses.....No limit

KPERS technology project.....No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2015, for the following specified purposes:

- Agency operations.....\$94,978
- Investment-related expenses.....No limit

(d) On July 1, 2014, 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, 2014, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$56,200,000.

Sec. 105.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

- Operating expenditures\$1,067,132

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *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, 2014, 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. 106.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures\$1,073,070

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$200: *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, 2015, 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. 107.

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, 2014, 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 2015 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 2015, 2016 and 2017.

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
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 conservation plan – 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.

- Vehicle information systems network – federal fundNo 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
- Well plugging assurance fund.....No limit
- Energy grants management fund.....No limit
- State electricity regulators assistance – ARRA federal fund.....No limit
- KETA administrative fund.....No limit
- KETA development fund.....No limit

(b) Expenditures for the fiscal year ending June 30, 2014, 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 2014 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.

(c) During the fiscal year ending June 30, 2014, 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.

(d) During the fiscal year ending June 30, 2014, 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.

(e) On July 1, 2013, 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.

(f) Expenditures for the fiscal year ending June 30, 2014, by the state corporation commission 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.

(g) During the fiscal year ending June 30, 2014, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund, public service regulation fund and motor carrier license fee fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2013, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 108.

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, 2015, 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 2016 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 2016, 2017 and 2018.

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
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 conservation plan – 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 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.

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
Well plugging assurance fund.....	No limit
Energy grants management fund.....	No limit
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2015, 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 2015 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.

(c) During the fiscal year ending June 30, 2015, 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.

(d) During the fiscal year ending June 30, 2015, 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.

(e) On July 1, 2014, 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.

(f) Expenditures for the fiscal year ending June 30, 2015, by the state corporation commission 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.

(g) During the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund, public service regulation fund and motor carrier license fee fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2014, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 109.

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, 2014, 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.....\$816,322

(b) During the fiscal year ending June 30, 2014, 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 2014 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 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 2013, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2013 may be expended from the utility regulatory fee fund for fiscal year 2014 pursuant to contracts for professional services and any such expenditure for fiscal year 2014 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2014.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2014, 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. 110.

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, 2015, 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.....\$819,928

(b) During the fiscal year ending June 30, 2015, 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 2015 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature or by any appropriation act of the 2015 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 2014, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2014 may be expended from the utility regulatory fee fund for fiscal year 2015 pursuant to contracts for professional services and any such expenditure for fiscal year 2015 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2015.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2015, 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. 111.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures\$5,840,520

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,000: *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 operating expenditures account for three employees in the unclassified service under the Kansas civil service act: *And provided further*; That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2013, any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2013, any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2013, any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2013, any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2013, and any unencumbered balance in the account and reports account in excess of \$100 as of June 30, 2013, are hereby reappropriated to the department of administration operating expenditures account for fiscal year 2014.

Budget analysis.....\$1,304,885

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.

Long-term care ombudsman.....\$250,262

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service.....\$1,598,000

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2014, the following:

KPERS bond debt service.....\$34,541,151

Public broadcasting digital conversion debt service.....\$238,332

(c) There is appropriated for the above agency from the economic development initiatives fund for the fiscal year ending June 30, 2014, the following:

Public broadcasting council grants.....\$600,000

Provided, 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: *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.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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:

Public safety broadband services fund.....No limit

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
- Finney state office building Wichita security 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
- GIS contracting services 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. 2012 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.

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 medical assistance program federal 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

(e) On July 1, 2013, 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.

(f) During the fiscal year ending June 30, 2014, 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.

(g) 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 2014 by this or other appropriation act of the 2013 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 2014 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.

(h) (1) On July 1, 2013, 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 50% 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, 2014, except that such amount shall be proportionally adjusted during fiscal year 2014 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2014. 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 2013 and fiscal year 2014 in determining the amount to be certified under this subsection. All moneys transferred and credited to the

children's initiatives fund during fiscal year 2014 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2014, 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 2014.

(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.

(i) (1) On July 1, 2013, 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, 2014, except that such amount shall be proportionally adjusted during fiscal year 2014 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2014. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2014 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2014, 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 2014.

(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.

(j) (1) On July 1, 2013, 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, 2014, except that such amount shall be proportionally adjusted during fiscal year 2014 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2014. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2014 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2014, 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 2014.

(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.

(k) (1) On July 1, 2013, 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 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2014, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2014 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2014, 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 2014.

(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.

(l) During the fiscal year ending June 30, 2014, 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, 2014, from the state general fund for the department of administration to another item of appropriation for fiscal year 2014 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.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2014, the following:

SIBF – state building insurance\$225,000

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.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2014, the following:

CIBF – state building insurance\$225,000

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.

(o) On July 1, 2013, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2014, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services 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 2014 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.

(p) (1) On July 1, 2013, 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, 2013, pursuant to section 72(o)(10)(D) of chapter 175 of the 2012 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, 2013, 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 (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2014.

(3) (A) (i) Prior to August 15, 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 a specific expenditure limitation prescribed for fiscal year 2014 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 2014.

(ii) On or before June 30, 2014, 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 2014, 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 (p)(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, 2013, 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 2013 and which were not reappropriated for fiscal year 2014, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(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 2013 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 2013 regular session of the legislature.

(C) Prior to August 15, 2013, 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, 2012, that were released during fiscal year 2013, and that were not specifically reappropriated by an appropriation act of the 2013 regular session of the legislature.

(4) (A) On August 15, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2014 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2014, by this or other appropriation act of the 2013 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On June 30, 2014, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2014 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2014, by this or other appropriation act of the 2013 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(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 (p)(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, 2013, 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 (p): *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 (p). 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, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p) (6), the appropriation for fiscal year 2014 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, 2014, by this or other appropriation act of the 2013 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), 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 2014.

(8) (A) On or before September 1, 2013, after receipt of each certification by the director of the budget pursuant to this subsection (p), 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 (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 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.

(C) On September 1, 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 (p), to reflect all

moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2014.

(D) On or before June 30, 2014, after receipt of each certification by the director of the budget pursuant to subsection (p)(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 (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2014, 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, 2014, 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 (p), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2014.

(G) On June 30, 2014, 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 (p) and all reductions and adjustments thereto made pursuant to this subsection (p). 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 (p), "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 (p) 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 (p);

(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 (p), 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 (p), 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, 2013, 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.

(q) During the fiscal year ending June 30, 2014, 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 2014 by this or other appropriation act of the 2013 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 2014, 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.

(r) (1) On July 1, 2013, 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, 2014, except that such amount shall be proportionally adjusted during fiscal year 2014 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2014. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2014 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2014, 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 2014.

(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.

(s) On July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 76-7,106, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$112,706 from the statewide maintenance and disaster relief fund of the department of administration to the state general fund.

(t) On July 1, 2013, the director of accounts and reports shall transfer \$400,000 from the Curtis office building reserve fund of the department of administration to the state general fund.

(u) On July 1, 2013, notwithstanding the provisions of K.S.A. 75-3765, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the building and grounds fund of the department of administration to the state general fund.

(v) On July 1, 2013, notwithstanding the provisions of K.S.A. 75-3652, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$38,566 from the property contingency fund of the department of administration to the state general fund.

(w) (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 2014, by this or other appropriation act of the 2013 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 2014 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, 2013, in accordance with this subsection.

(2) On or before June 30, 2013, 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, 2013, 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, 2013, and any associated full-time or regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year 2014 are hereby deleted: *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) Except as provided further, on July 1, 2013, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2014, by this or other appropriation act of the 2013 regular session of the legislature, and that is budgeted for payment of salaries and wages, and associated fringe benefits, of such abolished vacant positions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2014, is hereby lapsed from each such account: *Provided, however*; That the provisions of this paragraph shall not apply to any agency in the legislative branch: *Provided further*; That 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.

(4) As used in this subsection, "state agency" means each state agency named in chapter 175 of the 2012 Session Laws of Kansas or in this or other appropriation act of the 2013 regular session of the legislature, except that "state agency" shall not include: The judicial branch or any agency of the judicial branch of state government; the department of corrections; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; and Rainbow mental health facility.

Sec. 112.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures\$5,868,938

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,000: *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 operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis.....\$1,414,573

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.

Long-term care ombudsman.....\$251,984
Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service.....\$2,738,000
 (b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2015, the following:

KPERS bond debt service.....\$33,397,483
 Public broadcasting digital conversion debt service.....\$234,769

(c) There is appropriated for the above agency from the economic development initiatives fund for the fiscal year ending June 30, 2015, the following:

Public broadcasting council grants.....\$600,000

Provided, 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: *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.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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:

Public safety broadband services fund.....No limit
 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

Finney state office building Wichita security 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

GIS contracting services 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. 2012 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.

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
State gaming revenues fund.....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 medical assistance program

federal 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

(e) On July 1, 2014, 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.

(f) During the fiscal year ending June 30, 2015, 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.

(g) 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 2015 by this or other appropriation act of the 2013 or 2014 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 2015 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.

(h) (1) On July 1, 2014, 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 50% 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, 2015, except that such amount shall be proportionally adjusted during fiscal year 2015 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2015. 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 2014 and fiscal year 2015 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2015 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2015, 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 2015.

(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.

(i) (1) On July 1, 2014, 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, 2015, except that such amount shall be proportionally adjusted during fiscal year 2015 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2015. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2015 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2015, 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 2015.

(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.

(j) (1) On July 1, 2014, 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, 2015, except that such amount shall be proportionally adjusted during fiscal year 2015 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2015. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2015 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2015, 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 2015.

(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.

(k) (1) On July 1, 2014, 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 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2015, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2015 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2015, 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 2015.

(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.

(l) During the fiscal year ending June 30, 2015, 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, 2015, from the state general fund for the department of administration to another item of appropriation for fiscal year 2015 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.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2015, the following:

SIBF – state building insurance\$236,250

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.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2015, the following:

CIBF – state building insurance.....\$236,250

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.

(o) On July 1, 2014, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2015, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services 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 2015 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.

(p) (1) On July 1, 2014, 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, 2014, pursuant to section 57(p)(10)(D) of this act, 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, 2014, 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 (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2015.

(3) (A) (i) Prior to August 15, 2014, 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 2015 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 2015.

(ii) On or before June 30, 2015, 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 2015, 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 (p)(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, 2014, 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 2014 and which were not reappropriated for fiscal year 2015, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(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 2013 or 2014 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 2013 or 2014 regular session of the legislature.

(C) Prior to August 15, 2014, 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, 2013, that were released during fiscal year 2014, and that were not specifically reappropriated by an appropriation act of the 2013 or 2014 regular session of the legislature.

(4) (A) On August 15, 2014, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2015 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2015, by this or other appropriation act of the 2013 or 2014 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On June 30, 2015, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2015 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2015, by this or other appropriation act of the 2013 or 2014 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(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 (p)(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, 2014, 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 (p): *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 (p). 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, 2014, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p) (6), the appropriation for fiscal year 2015 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, 2015, by this or other appropriation act of the 2013 or 2014 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), 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 2015.

(8) (A) On or before September 1, 2014, after receipt of each certification by the director of the budget pursuant to this subsection (p), 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 (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 2014, 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, 2014, 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 (p), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2015.

(D) On or before June 30, 2015, after receipt of each certification by the director of the budget pursuant to subsection (p)(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 (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2015, 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, 2015, 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 (p), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2015.

(G) On June 30, 2015, 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 (p) and all reductions and adjustments thereto made pursuant to this subsection (p). 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 (p), "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 (p) 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 (p);

(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 (p), 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 (p), 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, 2014, 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.

(q) During the fiscal year ending June 30, 2015, 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 2015 by this or other appropriation act of the 2013 or 2014 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 2015, 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.

(r) (1) On July 1, 2014, 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, 2015, except that such amount shall be proportionally adjusted during fiscal year 2015 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2015. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2015 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2015, 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 2015.

(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.

(s) (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 2015, by this or other appropriation act of the 2013 or 2014 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 2015 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, 2014, in accordance with this subsection.

(2) On or before June 30, 2014, 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, 2014, 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, 2014, and any associated full-time or regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year 2015 are hereby deleted: *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) Except as provided further, on July 1, 2014, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2015, by this or other appropriation act of the 2013 or 2014 regular session of the legislature, and that is budgeted for payment of salaries and wages, and associated fringe benefits, of such abolished vacant positions, as certified by the director of the budget to the director of accounts and reports for fiscal year 2015, is hereby lapsed from each such account: *Provided, however*, That the provisions of this paragraph shall not apply to any agency in the legislative branch: *Provided further*, That 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.

(4) As used in this subsection, "state agency" means each state agency named in chapter 175 of the 2012 Session Laws of Kansas or in this or other appropriation act of the 2013 or 2014 regular session of the legislature, except that "state agency" shall not include: The judicial branch or any agency of the judicial branch of state government; the department of corrections; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; and Rainbow mental health facility.

(t) On July 1, 2014, notwithstanding the provisions of K.S.A. 75-3765, and

amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the building and grounds fund of the department of administration to the state general fund.

Sec. 113.

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, 2014, 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. 114.

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, 2015, 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. 115.

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, 2014, the following:

Operating expenditures.....\$807,533

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.....\$1,005,186

Sec. 116.

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, 2015, the following:

Operating expenditures.....\$857,536

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.....\$4,431

COTA filing fee fund.....\$1,005,857

Sec. 117.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$14,365,987

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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.....\$46,949,484

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, 2014: *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 state 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 the 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
<i>Provided, That, notwithstanding the provisions of K.S.A. 2012 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.</i>	
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, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, the director of accounts and reports shall transfer \$11,241,926 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, 2013, 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, 2013, 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, 2013, the director of accounts and reports shall transfer \$50,000 from the reappraisal reimbursement fund of the department of revenue to the state general

fund.

Sec. 118.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$14,470,417

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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.....\$47,203,073

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, 2015: *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 state court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund.....	No limit
<i>Provided</i> , That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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: <i>And provided further</i> ; 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
<i>Provided</i> , 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: <i>Provided further</i> ; 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
<i>Provided</i> , That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: <i>Provided further</i> ; 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
<i>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.</i>	
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 the 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

Provided, That, notwithstanding the provisions of K.S.A. 2012 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, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, the director of accounts and reports shall transfer \$11,320,975 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, 2014, 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, 2014, 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, 2014, the director of accounts and reports shall transfer \$30,000 from

the reappraisal reimbursement fund of the department of revenue to the state general fund.

Sec. 119.

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, 2014, 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
- Provided*, 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, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2013, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2013, and on or before the 15th of each month thereafter through June 15, 2014: *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, 2014: *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 2014 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, 2014, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *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 2014 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 2014 is equal to or more than \$74,520,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2014 pursuant to this subsection shall be equal to or more than \$74,520,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *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 2014.

(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, 2014, 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. 2012 Supp. 74-8724, and amendments thereto, during fiscal year 2014: *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, 2014, 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. 2012 Supp. 74-8724, and amendments thereto, during fiscal year 2014: *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.

Sec. 120.

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, 2015, 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, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2014, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2014, and on or before the 15th of each month thereafter through June 15, 2015: *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, 2015: *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 2015 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, 2015, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *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 2015 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 2015 is equal to or more than \$72,300,000: *And provided further*; That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2015 pursuant to this subsection shall be equal to or more than \$72,300,000: *And provided further*; That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *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 2015.

(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, 2015, 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. 2012 Supp. 74-8724, and amendments thereto, during fiscal year 2015: *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, 2015, 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. 2012 Supp. 74-8724, and amendments thereto, during fiscal year 2015: *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.

Sec. 121.

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, 2014, 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
<i>Provided</i> , 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. 2012 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. 2012 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 official hospitality shall not exceed \$1,500.

- Expanded lottery regulation fund.....No limit

Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

- 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, 2013, 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, 2014, 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 2014 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 2014 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, 2014, 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 2014 for the Kansas racing and gaming commission by this or other appropriation act of the 2013 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2014 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, 2014, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2014, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2014, 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, 2014, 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.

(h) On and after July 1, 2013, during the fiscal year ending June 30, 2014, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, no moneys appropriated for the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2014 shall be expended by the Kansas racing and gaming commission for the purposes of compensation of members of such commission for performing the duties and functions of the commission, except that such members shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(i) On July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 74-8842, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$39,681 from the greyhound promotion and development fund of the Kansas racing and gaming commission to the state general fund.

(j) On July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$87,012 from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the economic development initiatives fund.

Sec. 122.

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, 2015, 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
<i>Provided</i> , 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. 2012 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. 2012 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 official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit
Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

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, 2014, 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, 2015, 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 2015 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 2015 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, 2015, 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 2015 for the Kansas racing and gaming commission by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2015 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, 2015, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2015, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2015, 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, 2015, 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.

(h) On and after July 1, 2014, during the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, no moneys appropriated for the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2015 shall be expended by the Kansas racing and gaming commission for the purposes of compensation of members of such commission for performing the duties and functions of the commission, except that such members shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 123.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2014, the following:

- Older Kansans employment program.....\$253,046
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the older Kansans employment program account is hereby reappropriated for fiscal year 2014.
- Rural opportunity zones program.....\$1,829,084
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2014.
- Senior community service employment program.....\$8,071
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the senior community service employment program account is hereby reappropriated for fiscal year 2014.
- Strong military bases program.....\$100,000
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the strong military bases program account is hereby reappropriated for fiscal year 2014.
- Governor's council of economic advisors.....\$186,062
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2014.
- Innovation growth program.....\$1,567,983
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the innovation growth program account is hereby reappropriated for fiscal year 2014.

Creative arts industries commission.....\$200,000
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the creative arts industries commission account is hereby reappropriated for fiscal year 2014.

Employment incentive for persons with a disability.....\$450,000
 Operating grant (including official hospitality).....\$7,416,069

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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

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

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 Peysen 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

Provided, That during the fiscal year ending June 30, 2014, notwithstanding the provisions of K.S.A. 2012 Supp. 74-50,150, and amendments thereto, or any other statute, the above agency shall expend the moneys in the state affordable airfare fund as a grant given directly to the city or county which received moneys from the state affordable airfare fund during fiscal year 2013: *Provided further*, That such grant from such fund shall be in the same amount as was received in fiscal year 2013: *And provided further*, That any city or county which receives such grant shall submit an annual report to the legislature on or before May 1, 2014: *And provided further*, That the annual report shall be delivered and the representatives of each such city or county 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 city or county and an analysis of the data used by the city or county: *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.

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
Child care/development block grant – 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
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit

Creative arts industries commission gifts, grants and bequests – 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
Kansas creative arts industries commission checkoff fund.....	No limit

(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2014, 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 2014, in accordance with the provisions of this or other appropriation act of the 2013 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.

(d) 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 2014 for the department of commerce as authorized by this or other appropriation act of the 2013 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 2014 for official hospitality.

(e) On or after July 1, 2013, notwithstanding the provisions of K.S.A. 2012 Supp. 74-50,150, and amendments thereto, or any other statute, 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 city or county and the progress attained by the city or county during the fiscal year 2013 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 located 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 highway fund to the state affordable airfare fund of the department of commerce.

(f) Any unencumbered balance in excess of \$100 as of June 30, 2013, in each of the following accounts of the state general fund is hereby reappropriated for the above agency for fiscal year 2014: Employment incentive for persons with a disability.

(g) 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, 2013, is hereby reappropriated for fiscal year 2014.

(h) On July 1, 2013, the creative industries commission gifts, grants and bequests – federal fund of the department of commerce is hereby redesignated as the creative arts industries commission gifts, grants and bequests – federal fund of the department of commerce.

(i) Any unencumbered balance in the creative industries commission account of the state economic development initiatives fund in excess of \$100 as of June 30, 2013, is hereby reappropriated to the creative arts industries commission account of the state economic development initiatives fund for fiscal year 2014.

(j) During the fiscal year ending June 30, 2014, the secretary of commerce, 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, 2014, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2014 from the state economic development initiatives fund for the department of commerce. The secretary of commerce 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.

(k) On July 1, 2013, the director of accounts and reports shall transfer \$13,700,000 from the economic development initiatives fund to the state general fund.

(l) On July 1, 2013, the director of accounts and reports shall transfer \$1,000,000 from the reimbursement and recovery fund to the state general fund.

Sec. 124.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Animal health research grant.....\$5,000,000

Provided, That all moneys in the animal health research grant account for fiscal year 2015 shall be for an animal health research grant to Kansas state university awarded and administered by the secretary of commerce: *Provided, however*; That no fees shall be charged or collected for administering and awarding the animal health research grant: *Provided further*; That all grant amounts authorized by the secretary of commerce for fiscal year 2015 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university for the animal health research for which the grant is awarded: *And provided further*; That Kansas state university shall submit a plan to the secretary of commerce as to how the animal health research activities create additional jobs for the state for fiscal year 2015.

Aviation research grant.....\$5,000,000

Provided, That all moneys in the aviation research grant account for fiscal year 2015

shall be for an aviation research grant to Wichita state university awarded and administered by the secretary of commerce: *Provided, however;* That no fees shall be charged or collected for administering and awarding the aviation research grant: *Provided further;* That all grant amounts authorized by the secretary of commerce for fiscal year 2015 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university for the aviation research for which the grant is awarded: *And provided further;* That Wichita state university shall submit a plan to the secretary of commerce as to how the aviation research activities create additional jobs for the state for fiscal year 2015.

Cancer center research grant.....\$5,000,000

Provided, That all moneys in the cancer center research grant account for fiscal year 2015 shall be for a cancer center research grant to university of Kansas medical center awarded and administered by the secretary of commerce: *Provided, however;* That no fees shall be charged or collected for administering and awarding the cancer research grant: *Provided further;* That all grant amounts authorized by the secretary of commerce for fiscal year 2015 shall be matched by university of Kansas medical center on a \$1 for \$1 basis from other moneys of university of Kansas medical center for the cancer center research for which the grant is awarded: *And provided further;* That university of Kansas medical center shall submit a plan to the secretary of commerce as to how the cancer center research activities create additional jobs for the state for fiscal year 2015.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2015, the following:

Older Kansans employment program.....\$253,139

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the older Kansans employment program account is hereby reappropriated for fiscal year 2015.

Rural opportunity zones program.....\$1,831,012

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2015.

Senior community service employment program.....\$8,100

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the senior community service employment program account is hereby reappropriated for fiscal year 2015.

Strong military bases program.....\$100,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the strong military bases program account is hereby reappropriated for fiscal year 2015.

Governor's council of economic advisors.....\$186,205

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2015.

Innovation growth program.....\$1,568,648

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the innovation growth program account is hereby reappropriated for fiscal year 2015.

Creative arts industries commission.....\$200,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the creative arts industries commission account is hereby reappropriated for fiscal year

2015.

Employment incentive for persons with a disability.....\$450,000
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the employment incentive for persons with a disability account is hereby reappropriated for fiscal year 2015.

Operating grant (including official hospitality).....\$9,162,358
Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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

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

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 Peysner 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

Provided, That during the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 2012 Supp. 74-50,150, and amendments thereto, or any other statute, the above agency shall expend the moneys in the state affordable airfare fund as a grant given directly to the city or county which received moneys from the state affordable airfare fund during fiscal year 2014: *Provided further*, That such grant from such fund shall be in the same amount as was received in fiscal year 2014: *And provided further*, That any city or county which receives such grant shall submit an annual report to the legislature on or before May 1, 2015: *And provided further*, That the annual report shall be delivered and the representatives of each such city or county 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 city or county and an analysis of the data used by the city or county: *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.

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
Child care/development block grant – 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
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit

Creative arts industries commission gifts, grants and bequests –

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
Kansas creative arts industries commission checkoff fund.....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2015, 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 2015, in accordance with the provisions of this or other appropriation act of the 2013 or 2014 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 2015 for the department of commerce as authorized by this or other appropriation act of the 2013 or 2014 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 2015 for official hospitality.

(f) On or after July 1, 2014, notwithstanding the provisions of K.S.A. 2012 Supp. 74-50,150, and amendments thereto, or any other statute, 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 city or county and the progress attained by the city or county during the fiscal year 2014 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 located 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 highway fund to the state affordable airfare fund of the department of commerce.

(g) 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, 2014, is hereby reappropriated for fiscal year 2015.

(h) During the fiscal year ending June 30, 2015, the secretary of commerce, 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, 2015, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2015 from the state economic development initiatives fund for the department of commerce. The secretary of commerce 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) On July 1, 2014, the director of accounts and reports shall transfer \$11,700,000 from the economic development initiatives fund to the state general fund.

(j) On July 1, 2014, the director of accounts and reports shall transfer \$500,000 from the reimbursement and recovery fund to the state general fund.

Sec. 125.

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, 2014, 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 the Kansas housing resources corporation.

Sec. 126.

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, 2015, 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 the Kansas housing resources corporation.

Sec. 127.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$294,754

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014:

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, 2014, 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, 2014, 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.....	\$14,727,889
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
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.....	\$191,969
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 2014 as authorized by this or other appropriation act of the 2013 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2014 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 2014 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 \$2,646,100.

(d) On July 1, 2013, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the federal indirect cost offset fund of the department of labor to

the state general fund.

Sec. 128.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$332,943

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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, 2015, 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.....	\$13,425,942
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
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.....	\$193,337
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 2015 as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2015

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 2015 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 \$2,642,330.

(d) On July 1, 2014, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the federal indirect cost offset fund of the department of labor to the state general fund.

Sec. 129.

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, 2014, the following:

- Operating expenditures – veteran services.....\$1,187,069
Provided, That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.
- Operations – state veterans cemeteries\$546,049
Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.
- Operating expenditures – Kansas soldiers' home.....\$1,755,361
Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.
- Operating expenditures – Kansas veterans' home.....\$2,091,124
Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.
- Scratch lotto – Kansas veterans' home.....\$100,067
- Scratch lotto – veterans services.....\$317,459
- Scratch lotto – Kansas soldiers' home.....\$73,315
- Scratch lotto – veterans cemeteries.....\$152,005
- Operating expenditures – administration.....\$470,556
Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.
- Veterans claim assistance program – service grants.....\$602,200
Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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.....	\$1,718,194
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.....	\$2,906,777
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.....	No limit
Federal domiciliary per diem fund.....	\$1,447,882
Federal long term care per diem fund.....	\$4,869,092
Commission on veterans affairs federal fund.....	\$197,820
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, 2014, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2012 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, 2014, 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, 2014, 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 to another item of appropriation for fiscal year 2014 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.

(e) On July 1, 2013, the veterans home federal fund of the Kansas commission on veterans affairs is hereby redesignated as the federal domiciliary per diem fund of Kansas commission on veterans affairs.

(f) On July 1, 2013, the soldiers home federal fund of the Kansas commission on veterans affairs is hereby redesignated as the federal long term care per diem fund of Kansas commission on veterans affairs.

(g) During the fiscal year ending June 30, 2014, 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, 2014, from the state general fund for the Kansas commission on veterans affairs to the Vietnam war era veterans' recognition award fund. 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. 130.

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, 2015, the following:

Operating expenditures – veteran services.....\$1,193,831
Provided, That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries\$549,451
Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers' home.....\$1,767,354
Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Operating expenditures – Kansas veterans' home.....\$2,130,962
Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Scratch lotto – Kansas veterans' home.....	\$100,060
Scratch lotto – veterans services.....	\$319,078
Scratch lotto – Kansas soldiers' home.....	\$73,309
Scratch lotto – veterans cemeteries.....	\$153,035
Operating expenditures – administration.....	\$473,164

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Veterans claim assistance program – service grants.....	\$576,000
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Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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.....	\$1,626,314
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.....	\$2,908,205
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.....	No limit
Federal domiciliary per diem fund.....	\$1,348,087
Federal long term care per diem fund.....	\$4,901,469
Commission on veterans affairs federal fund.....	\$199,087
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, 2015, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A.

2012 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, 2015, 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, 2015, 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 to another item of appropriation for fiscal year 2015 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.

(e) During the fiscal year ending June 30, 2015, 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, 2015, from the state general fund for the Kansas commission on veterans affairs to the Vietnam war era veterans' recognition award fund. 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. 131.

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, 2014, the following:

Operating expenditures (including official hospitality).....\$3,106,879
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Operating expenditures (including official hospitality) –
health.....\$3,040,245

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2013, is hereby

reappropriated for fiscal year 2014.

Vaccine purchases.....\$659,607
Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Aid to local units.....\$4,325,138
Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$7,560,357
Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2013, is hereby reappropriated to the aid to local units – women's wellness account for fiscal year 2014: *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, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

PKU treatment.....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

State trauma fund.....\$240,046

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 2014, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2014 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 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

Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2014 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

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 2014 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
Kansas vital records for quality improvement – federal fund.....	No limit
Kansas early detection works breast & cervical cancer screening services – federal fund.....	No limit
Kansas public health approaches for ensuring quitline capacity – 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

Provided, 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: *Provided further*, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund.....	No limit
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Provided, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

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, 2014, the following:

Healthy start.....	\$237,914
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Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Infants and toddlers program.....	\$5,700,000
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Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Smoking prevention.....	\$946,671
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Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Newborn hearing aid loaner program.....	\$47,161
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Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

SIDS network grant.....	\$96,374
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Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(d) On July 1, 2013, and on other occasions during fiscal year 2014 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, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, 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, 2014, 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 2014 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2013 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 2014 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 2014 made by this or other appropriation act of the 2013 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, 2014, 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, 2014, 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 2014 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 2014 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 2014, as authorized by this or other appropriation act of the 2013 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 2014 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2014, 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. 132.

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, 2015, the following:

Operating expenditures (including official hospitality).....\$3,054,027

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Operating expenditures (including official hospitality) – health.....\$3,036,941

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Vaccine purchases.....\$659,607

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$7,560,357

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 – women's wellness account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

PKU treatment.....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of

\$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

State trauma fund.....\$240,046

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 2015, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2015 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 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 2015 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
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 2015 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
Kansas vital records for quality improvement – federal fund.....	No limit
Kansas early detection works breast & cervical cancer screening services - federal fund.....	No limit
Kansas public health approaches for ensuring quitline capacity – 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: *Provided further*, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund.....No limit
Provided, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

- Lead-based paint hazard fee fund.....No limit
- Strengthening public health infrastructure – federal fund.....No limit
- Improving minority health – federal fundNo limit
- Abstinence education – federal fund.....No limit
- Affordable care act – federal fundNo 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, 2015, the following:

Healthy start.....\$237,914

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Infants and toddlers program.....\$5,700,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Smoking prevention.....\$946,671

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

SIDS network grant.....\$96,374

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(d) On July 1, 2014, and on other occasions during fiscal year 2015 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, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, 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, 2015, 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 2015 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2013 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 2015 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 2015 made by this or other appropriation act of the 2013 or 2014 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, 2015, 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, 2015, 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 2015 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 2015 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 2015, as authorized by this or other appropriation act of the 2013 or 2014 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 2015 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2015, 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. 133.

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, 2014, the following:

Health policy operating expenditures\$10,850,314

Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 \$643,290,000

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 2014.

Children's health insurance program.....\$17,293,612

Provided, That any unencumbered balance in the children's health insurance program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Office of the inspector general.....\$72,920

Provided, That any unencumbered balance in the office of the inspector general account of the department of health and environment – division of health in excess of \$100 as of June 30, 2013, is hereby reappropriated to the office of the inspector general

account of the above agency for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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\$657,549
 Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2014, for salaries and wages and other operating expenditures shall not exceed \$1,899,070.

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, 2014, for salaries and wages and other operating expenditures shall not exceed \$3,832,597.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2014, for salaries and wages and other operating expenditures shall not exceed \$690,208.

Non-state employer group benefit fund\$146,994

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, 2014, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... No limit

Health care database fee fund No limit

Association assistance plan fund.....No limit

Medical programs fee fund \$72,276,117

Health benefits administration clearing fund – remit admin service orgNo limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2014, 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 No limit

Health care access improvement fund.....No limit

Children's health insurance program federal fundNo limit

State planning – health care – uninsured fundNo limit

Medicaid infrastructure grant – disability employment federal fundNo 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

Refugee and entrant assistance – state administered programs fund.....No limit

(c) During the fiscal year ending June 30, 2014, 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, 2014, 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.

(d) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$317,292 from the medical program fee fund of department of health and environment – division of health care finance to the state general fund.

(e) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,500,000 from the association assistant plan fund of the department of health and environment – division of health care finance to the social welfare fund of the department for aging and disability services.

(f) During the fiscal year ending June 30, 2014, expenditures shall be made by the secretary of health and environment from the other medical assistance account of the above agency of the state general fund or from any special revenue fund or funds of the above agency for the purpose of maintaining the state disproportionate share hospital (DSH) funding in an amount of not less than \$33,000,000 for fiscal year 2014. The secretary of health and environment shall make a full report on which accounts or funds the expenditures were made from to the director of the budget and the director of legislative research.

(g) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the preventive health care program fund of the department of health and environment – division of health care finance to the state general fund.

Sec. 134.

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, 2015, the following:

Health policy operating expenditures\$10,840,304

Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 \$659,629,120

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 2015.

Children's health insurance program.....\$17,293,612

Provided, That any unencumbered balance in the children's health insurance program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Office of the inspector general.....\$72,728

Provided, That any unencumbered balance in the office of the inspector general account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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\$657,390

Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2015, for salaries and wages and other operating expenditures shall not exceed \$1,906,055.

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, 2015, for salaries and wages and other operating expenditures shall not exceed \$3,841,819.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2015, for salaries and wages and other operating expenditures shall not exceed \$690,613.

Non-state employer group benefit fund\$146,906

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, 2015, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... No limit

Health care database fee fund No limit

Association assistance plan fund.....No limit

Medical programs fee fund \$72,676,117

Health benefits administration clearing fund – remit admin

service orgNo limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2015, 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 No limit

Health care access improvement fund.....No limit

Children's health insurance program federal fundNo 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
Refugee and entrant assistance – state administered programs fund.....	No limit

(c) During the fiscal year ending June 30, 2015, 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, 2015, 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.

(d) During the fiscal year ending June 30, 2015, expenditures shall be made by the secretary of health and environment from the other medical assistance account of the above agency of the state general fund or from any special revenue fund or funds of the above agency for the purpose of maintaining the state disproportionate share hospital (DSH) funding in an amount of not less than \$33,000,000 for fiscal year 2015. The secretary of health and environment shall make a full report on which accounts or funds the expenditures were made from to the director of the budget and the director of legislative research.

(e) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$317,292 from the medical program fee fund of the department of health and environment – division of health care finance to the state general fund.

Sec. 135.

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, 2014, the following:

Operating expenditures (including official hospitality).....	\$5,517,350
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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, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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, 2014, 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 2014, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2014 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

Kansas newborn screening 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
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
Salt solution mining well plugging fund.....	No limit
UST redevelopment fund.....	No limit
Office of laboratory services operating fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2014, for the state water plan project or projects specified as follows:

Contamination remediation.....	\$768,076
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
TMDL initiatives and use attainability analysis.....	\$199,126
<i>Provided</i> , That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Watershed restoration and protection plan.....	\$619,214
<i>Provided</i> , That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Nonpoint source program.....	\$295,943
<i>Provided</i> , That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	

(d) During the fiscal year ending June 30, 2014, 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 2014 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2014 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.

(e) During the fiscal year ending June 30, 2014, 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.

(f) On July 1, 2013, and on other occasions during fiscal year 2014 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.

(g) During the fiscal year ending June 30, 2014, 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.

(h) During the fiscal year ending June 30, 2014, 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 2014 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 2014 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.

(i) During the fiscal year ending June 30, 2014, 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. 136.

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, 2015, the following:

Operating expenditures (including official hospitality).....\$5,509,532

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reapropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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, 2015, 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 2015, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2015 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
- Kansas newborn screening 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
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
Salt solution mining well plugging fund.....	No limit
UST redevelopment fund.....	No limit
Office of laboratory services operating fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2015, for the state water plan project or projects specified as follows:

Contamination remediation.....\$691,114
Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

TMDL initiatives and use attainability analysis.....\$149,731
Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Watershed restoration and protection plan.....\$555,884
Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Nonpoint source program.....\$294,131
Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(d) During the fiscal year ending June 30, 2015, 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 2015 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2015 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.

(e) During the fiscal year ending June 30, 2015, 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.

(f) On July 1, 2014, and on other occasions during fiscal year 2015 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.

(g) During the fiscal year ending June 30, 2015, 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.

(h) During the fiscal year ending June 30, 2015, 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 2015 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 2015 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.

(i) During the fiscal year ending June 30, 2015, 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. 137.

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, 2014, the following:

Administration.....\$2,397,987

Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided*,

however, That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$35,537

Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

Administration – medicaid.....\$1,425,267

Provided, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Administration – medicaid MFP – admin match.....\$2,818

Provided, That any unencumbered balance in the administration – medicaid MFP – admin match account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Administration – older Americans act match.....\$148,039

Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014: *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 2013 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 2013: *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 2014 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 2013: *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, 2013, is hereby reappropriated for fiscal year 2014: *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 2013 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 2013: *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 2014 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 2013: *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.....\$2,501,313

Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$25,681,940

Provided, That any unencumbered balance in the LTC – medicaid assistance – HCBS/FE account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$152,805,600

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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. 2012 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 2014.

LTC – medicaid assistance – PACE.....\$2,696,456

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....	\$446,518
<i>Provided</i> , That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Nursing facilities regulation – title XIX.....	\$969,954
<i>Provided</i> , That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Health occupational credentialing.....	\$502,117
State operations.....	\$8,789,208
<i>Provided</i> , That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated to the state operations account for fiscal year 2014: <i>Provided further</i> ; 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.....	\$1,949,703
<i>Provided</i> , That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Mental health and retardation services aid and assistance.....	\$181,695,810
<i>Provided</i> , That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: <i>Provided</i> , however, That, if services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities are not provided under KanCare, then on January 1, 2014, of the \$181,695,810 appropriated for the above agency for the fiscal year ending June 30, 2014, by this section from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$4,000,000 is hereby lapsed.	
Kansas neurological institute – operating expenditures.....	\$9,872,360
<i>Provided</i> , That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: <i>Provided, however</i> ; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: <i>Provided further</i> ; 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.....	\$30,172,522
<i>Provided</i> , That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: <i>Provided, however</i> ; That expenditures from the Larned state hospital – operating expenditures account 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.....\$16,979,420

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Osawatomie state hospital – operating expenditures\$15,160,052

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,122,727

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the Parsons state hospital and training center – operating expenditures account 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.

Parsons state hospital and training center – sexual predator treatment program.....\$950,643

Rainbow mental health facility – operating expenditures.....\$4,080,097

Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the Rainbow mental health facility – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account to evaluate the services provided by the rainbow mental health facility, in consultation with other community providers in the catchment area the rainbow mental health facility serves, to determine the most appropriate use of the facility.

Children's mental health initiative.....\$335,210

Provided, That any unencumbered balance in the children's mental health initiative

account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however,* That no expenditures shall be made from the children's mental health initiative account for inpatient hospital beds for children.

Community based services.....\$96,599,976

Provided, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Other medical assistance.....\$103,264,496

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2014.

Community mental health centers supplemental funding.....\$2,500,000

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.....\$46,620,743

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.....\$1,351,478

Kansas neurological institute – foster grandparents program – federal fund.....No limit

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 – national school lunch program – federal.....	No limit
Larned state hospital – medical assistance program – 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 – medical assistance program – 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 – cottage revenue and expenditures	

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.....\$8,198,438

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 – medical assistance program – federal.....No limit

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.....	\$1,627,781
Rainbow mental health facility – patient benefit fund.....	No limit
Rainbow mental health facility – work therapy patient benefit fund.....	No limit
Rainbow mental health facility – medical assistance program – federal.....	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 2014 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 2013 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 2013: *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 2014 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 2013: *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 secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2012 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2012 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. 2012 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 Kansas department for aging and disability services, 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: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and

used to reduce state general fund outlays for the medicaid program: *And 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 provided further*, That 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
Children's health insurance federal fund.....	No limit
DADS social welfare fund.....	\$3,722,900
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

Provided, That expenditures shall be made from the problem gambling and addictions grant fund for salaries and wages of one full-time equivalent position for the problem gambling services coordinator: *Provided further*, That at least 10% of the expenditures of the problem gambling and addictions grant fund shall be made for the purposes of increasing public awareness on the possible risks and dangers of gambling addictions and available treatment and services.

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, 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, 2014, the following:

Children's mental health waiver.....\$3,800,000
Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(d) On July 1, 2013, 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, 2013, 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, 2013, 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, 2014, 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, 2014, 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 2014 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 2014 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 2014 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 2014 for the department of health and environment – division of health, as authorized by this or other appropriation act of the 2013 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 2014 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 for 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 2014: *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 or funds for fiscal year 2014 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2013 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2014 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, 2014, 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 state general fund 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, 2013, and on June 1, 2014, 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 developed by the secretary for aging and disability services 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 2014 with expenditure data regarding this program.

(k) On July 1, 2013, 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) On July 1, 2013, notwithstanding the provisions of K.S.A. 75-4265, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$20,933 from the senior services fund of the Kansas department for aging and

disability services to the state general fund.

(m) On July 1, 2013, the director of accounts and reports shall transfer \$763 from the non-government grant fund of the Kansas department for aging and disability services to the state general fund. On July 1, 2013, all liabilities of the non-government grant fund are hereby transferred to and imposed on the state general fund and the non-government grant fund is hereby abolished.

(n) On July 1, 2013, the director of accounts and reports shall transfer \$17,000 from the conferences and workshop attendance and publications fees fund of the Kansas department for aging and disability services to the state general fund.

(o) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(p) On July 1, 2013, 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.

(q) During the fiscal year ending June 30, 2014, 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, 2014, to sell the rainbow mental health facility.

Sec. 138.

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, 2015, the following:

Administration.....\$2,399,193

Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$35,678

Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Administration – medicaid.....\$1,433,398

Provided, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Administration – medicaid MFP – admin match.....\$2,818

Provided, That any unencumbered balance in the administration – medicaid MFP –

admin match account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Administration – older Americans act match.....\$149,321

Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015: *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 2014 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 2014: *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 2015 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 2014: *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, 2014, is hereby reappropriated for fiscal year 2015: *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 2014 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 2014: *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 2015 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 2014: *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.....\$2,666,399

Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$25,681,940

Provided, That any unencumbered balance in the LTC – medicaid assistance – HCBS/FE account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$185,250,392

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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. 2012 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 2015.

LTC – medicaid assistance – PACE.....\$2,696,456

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$450,473

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Nursing facilities regulation – title XIX.....\$978,518

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Health occupational credentialing.....\$504,299

State operations.....\$8,815,678

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated to the state operations account for fiscal year 2015: *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 in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal

year 2015.

Mental health and retardation services aid and assistance.....\$181,695,810

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That, if services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities are not provided under KanCare, then on January 1, 2014, of the \$181,695,810 appropriated for the above agency for the fiscal year ending June 30, 2015, by this section from the state general fund in the mental health and retardation services aid and assistance account, the sum of \$4,000,000 is hereby lapsed.

Kansas neurological institute – operating expenditures.....\$9,903,030

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account 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.....\$30,406,737

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account 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.....\$20,105,693

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Osawatomie state hospital – operating expenditures\$15,519,615

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,200,609

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2014, is hereby

reappropriated for fiscal year 2015: *Provided, however,* That expenditures from the Parsons state hospital and training center – operating expenditures account 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.

Parsons state hospital and training center – sexual predator treatment program.....\$2,058,868
 Rainbow mental health facility – operating expenditures.....\$4,419,519

Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however,* That expenditures from the Rainbow mental health facility – operating expenditures account 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 in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however,* That no expenditures shall be made from the children's mental health initiative account for inpatient hospital beds for children.

Community based services.....\$96,870,751
Provided, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Other medical assistance.....\$135,723,988
Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2015.

Community mental health centers supplemental funding.....\$2,500,000
Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.....\$46,861,094

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.....	\$1,355,537
Kansas neurological institute – foster grandparents program – federal fund.....	No limit
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 – national school lunch program – federal.....	No limit
Larned state hospital – medical assistance program – 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 – medical assistance program – 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 – cottage revenue and expenditures 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.....\$7,555,674

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 – medical assistance program – federal.....No limit
 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.....\$1,372,386

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.....\$1,199,649
 Rainbow mental health facility – patient benefit fund.....No limit
 Rainbow mental health facility – work therapy patient benefit fund.....No limit
 Rainbow mental health facility – medical assistance program – federal.....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 2015 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 2014 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 2014: *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 2015 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 2014: *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 secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2012 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2012 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. 2012 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 Kansas department for aging and disability services, 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: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And 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 provided further*, That 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

Children's health insurance 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

Provided, That expenditures shall be made from the problem gambling and addictions grant fund for salaries and wages of one full-time equivalent position for the

problem gambling services coordinator: *Provided further*, That at least 10% of the expenditures of the problem gambling and addictions grant fund shall be made for the purposes of increasing public awareness on the possible risks and dangers of gambling addictions and available treatment and services.

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway fund.....\$9,750,000

Provided, That on July 1, 2014, October 1, 2014, January 1, 2014, and April 1, 2015, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or an other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2015, the following:

Children's mental health waiver.....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(d) On July 1, 2014, 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, 2014, 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, 2014, 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, 2015, 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, 2015, 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 2015 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 2015 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 2015 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 2015 for the department of health and environment – division of health, as authorized by this or other appropriation act of the 2013 or 2014 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 2015 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 for 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 2015: *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 or funds for fiscal year 2015 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2015 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, 2015, 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 state general fund 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, 2014, and on June 1, 2015, 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 developed by the secretary for aging and disability services 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 2015 with expenditure data regarding this program.

(k) On July 1, 2014, 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) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(m) On July 1, 2014, 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. 139.

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, 2014, the following:

State operations (including official hospitality).....\$92,907,035

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Youth services aid and assistance.....\$95,618,383

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Vocational rehabilitation aid and assistance.....\$6,155,915
Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$20,158,937
Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund.....No limit
 Social welfare fund.....\$27,502,448
 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, 2014, the following:	
Children's cabinet accountability fund.....	\$400,000
<i>Provided</i> , That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Child care.....	\$5,033,679
<i>Provided</i> , That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	

Early head start.....	\$70,000
<i>Provided</i> , That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Family preservation.....	\$2,154,357
<i>Provided</i> , That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Quality initiative infants & toddlers.....	\$500,000
<i>Provided</i> , That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Early childhood block grant.....	\$18,179,484
<i>Provided</i> , That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Kansas reads to succeed.....	\$6,000,000
<i>Provided</i> , That if 2013 House Bill No. 2140, or any other legislation which provides research-based interventions designed to assist pupils with acquiring reading skills, is not passed by the legislature during the 2013 regular session and enacted into law, then during the fiscal year ending June 30, 2014 expenditures shall be made by the children's cabinet from the Kansas reads to succeed account of the children's initiatives fund for fiscal year 2014 to establish a pilot program for improved reading outcomes using the Lexia Reading Core5 program: <i>Provided further</i> , That such expenditures shall not exceed \$6,000,000: <i>And provided further</i> , That schools shall be selected for the improved reading outcomes program by a statewide application process supported by Educational Design Solutions, a Kansas company that currently supports implementation of the Lexia Reading Core5 program in Kansas: <i>And provided further</i> , That the criteria for the improved reading outcomes pilot program shall: (1) Create a personalized learning path for students that continually tailors instruction to the individual needs of the student while providing the teacher with the resources to deliver direct instruction based on the student's performance data; (2) present research that is peer reviewed and published in national scientific reading journals that shows the effectiveness of the reading program; (3) provide teachers with executable, norm-referenced performance data on a daily basis that enables teachers to plan and modify reading instruction on a daily basis without having to stop instructional time to administer a test; (4) provide regular, periodic, highly accurate and predictive scores for all elementary school students which will indicate the likelihood of students reaching grade level reading skills by the end of the school year along with an action plan for the student's teacher; (5) be highly correlated with the commonly used national reading assessments and the Kansas state reading test; (6) provide evidence of improved reading skills and scores by Kansas students and schools; (7) provide reading score data that can be traced to individual school buildings; and (8) be offered first to schools already using Lexia Reading Core5 or a similar improved reading outcomes program: <i>And provided further</i> , That schools selected for the improved reading outcomes pilot program shall represent a diverse cross-section of Kansas schools to include: (1) Urban, suburban and rural schools; (2) small, medium and large school districts; and (3) ethnic diversity among schools: <i>And provided further</i> , That each school selected for the improved reading outcomes pilot program shall: (1) Implement the improved reading outcomes pilot program in kindergarten and in grades one through five; (2) designate an	

implementation representative from each school for the improved reading outcomes pilot program; (3) require all reading teachers to attend professional development training sessions; (4) require that 60% or more of the students use the improved reading outcomes pilot program according to the standards established for the first year of the pilot by Lexia, thereafter the minimum threshold shall increase to 75% of students using the program according to the standards established for the program by Lexia; (5) require that principals and teachers conduct data meetings as grade-level teams at least once per month to monitor student progress as reported to the improved reading outcomes pilot program vendor and implement recommended strategies and interventions; and (6) provide the improved reading outcomes pilot program vendor's education and research team with student demographic data and corresponding data from either state or national reading assessments: *And provided further*, That if 2013 House Bill No. 2140, or any other legislation which provides research-based interventions designed to assist pupils with acquiring reading skills, is passed by the legislature during the 2013 regular session and enacted into law, then the provisions of this proviso are hereby declared null and void and shall have no force and effect.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2014, the following:

Children's cabinet administration.....\$260,446

(e) During the fiscal year ending June 30, 2014, 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, 2014, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2014 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, 2014, 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, 2013, 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, 2014, 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, 2014, 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, 2014, 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 2014, as authorized by this or other appropriation act of the 2013 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 2014 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 2014.

(j) During the fiscal year ending June 30, 2014, 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 2014 for the Kansas department for children and families as authorized by this or 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 2014 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, 2014, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, 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, 2014, to order the drug screening of an applicant for, or a recipient of, cash assistance under a drug screening program operated pursuant to the provisions of 2013 Senate Bill No. 149.

Sec. 140.

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, 2015, the following:

State operations (including official hospitality).....\$93,319,557

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Youth services aid and assistance.....\$95,715,368

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Vocational rehabilitation aid and assistance.....\$6,155,915

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$20,158,937

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund.....No limit

Social welfare fund.....\$27,549,851

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, 2015, the following:	
Children's cabinet accountability fund.....	\$400,000
<i>Provided</i> , That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.	
Child care.....	\$5,033,679
<i>Provided</i> , That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.	
Early head start.....	\$70,000
<i>Provided</i> , That any unencumbered balance in the early head start account in excess of	

\$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Family preservation.....\$2,154,357

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Early childhood block grant.....\$18,179,179

Provided, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Kansas reads to succeed.....\$6,000,000

Provided, That if 2013 House Bill No. 2140, or any other legislation which provides research-based interventions designed to assist pupils with acquiring reading skills, is not passed by the legislature during the 2013 regular session and enacted into law, then during the fiscal year ending June 30, 2015, expenditures shall be made by the children's cabinet from the Kansas reads to succeed account of the children's initiatives fund for fiscal year 2015 to establish a pilot program for improved reading outcomes using the Lexia Reading Core5 program: *Provided further*, That such expenditures shall not exceed \$6,000,000: *And provided further*, That schools shall be selected for the improved reading outcomes program by a statewide application process supported by Educational Design Solutions, a Kansas company that currently supports implementation of the Lexia Reading Core5 program in Kansas: *And provided further*, That the criteria for the improved reading outcomes pilot program shall: (1) Create a personalized learning path for students that continually tailors instruction to the individual needs of the student while providing the teacher with the resources to deliver direct instruction based on the student's performance data; (2) present research that is peer reviewed and published in national scientific reading journals that shows the effectiveness of the reading program; (3) provide teachers with executable, norm-referenced performance data on a daily basis that enables teachers to plan and modify reading instruction on a daily basis without having to stop instructional time to administer a test; (4) provide regular, periodic, highly accurate and predictive scores for all elementary school students which will indicate the likelihood of students reaching grade level reading skills by the end of the school year along with an action plan for the student's teacher; (5) be highly correlated with the commonly used national reading assessments and the Kansas state reading test; (6) provide evidence of improved reading skills and scores by Kansas students and schools; (7) provide reading score data that can be traced to individual school buildings; and (8) be offered first to schools already using Lexia Reading Core5 or a similar improved reading outcomes program: *And provided further*, That schools selected for the improved reading outcomes pilot program shall represent a diverse cross-section of Kansas schools to include: (1) Urban, suburban and rural schools; (2) small, medium and large school districts; and (3) ethnic diversity among schools: *And provided further*, That each school selected for the improved reading outcomes pilot program shall: (1) Implement the improved reading outcomes pilot program in kindergarten and in grades one through five; (2) designate an implementation representative from each school for the improved reading outcomes pilot program; (3) require all reading teachers to attend professional development

training sessions; (4) require that 60% or more of the students use the improved reading outcomes pilot program according to the standards established for the first year of the pilot by Lexia, thereafter the minimum threshold shall increase to 75% of students using the program according to the standards established for the program by Lexia; (5) require that principals and teachers conduct data meetings as grade-level teams at least once per month to monitor student progress as reported to the improved reading outcomes pilot program vendor and implement recommended strategies and interventions; and (6) provide the improved reading outcomes pilot program vendor's education and research team with student demographic data and corresponding data from either state or national reading assessments: *And provided further*, That if 2013 House Bill No. 2140, or any other legislation which provides research-based interventions designed to assist pupils with acquiring reading skills, is passed by the legislature during the 2013 regular session and enacted into law, then the provisions of this proviso are hereby declared null and void and shall have no force and effect.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2015, the following:

Children's cabinet administration.....\$261,589

(e) During the fiscal year ending June 30, 2015, 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, 2015, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2015 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, 2015, 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, 2014, 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, 2015, 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, 2015, 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, 2015, 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 2015, as authorized by this or other appropriation act of the 2013 or 2014 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 2015 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 2015.

(j) During the fiscal year ending June 30, 2015, 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 2015 for the Kansas department for children and families as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2015 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) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the children's initiatives fund to the state general fund.

Sec. 141.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Kansas guardianship program.....\$1,158,250

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Sec. 142.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Kansas guardianship program.....\$1,162,320

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Sec. 143.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$9,855,481
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Special education services aid.....\$384,717,630
Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$1,875,622,270
Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

Discretionary grants.....\$572,457
Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2014, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *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: *And provided further*; That during the fiscal year ending June 30, 2014, expenditures shall be made by the above agency from the discretionary grants fund for fiscal year 2014 to establish a pilot program for communities in schools programming in three school districts in Kansas: *And provided further*; That communities in schools shall conduct an outcomes based study of its programming during fiscal year 2014: *And provided further*; That the Kansas department of education is hereby authorized and directed to provide to communities in schools such student or other data as shall be necessary to permit communities in schools to conduct such study of outcomes regarding the

students assisted with such communities in schools programming: *And provided further*; That such data shall include data regarding demographically similar students at peer institutions not involved in communities in schools programs, to permit the research study to compare outcomes of students receiving communities in schools services versus students not receiving such services: *And provided further*; That upon providing the Kansas department of education with the names of students participating in the communities in schools program, the Kansas department of education shall provide the current status of students identified as participating in the program.

School food assistance.....	\$2,510,486
State match for Fort Riley school construction.....	\$1,500,000
School safety hotline.....	\$5,000
Moving expenses.....	\$624,829

Provided, That any unencumbered balance in the moving expenses account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Technical education promotion.....	\$25,000
KPERS – employer contributions.....	\$328,245,211

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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
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School district juvenile detention facilities and Flint Hills job corps center grants.....	\$5,571,500
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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, 2013, is hereby reappropriated for fiscal year 2014: *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, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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
<i>Provided</i> , 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

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.

Private donations, gifts, grants and bequests fund.....No limit
 Interactive video fee fund.....No limit

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.

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

21 st 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
General state aid transportation weighting – state highway fund.....	No limit

Provided, That on July 1, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

Special education transportation weighting – state highway fund.....	No limit
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Provided, That on July 1, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, the director of accounts and reports shall transfer \$10,750,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

Career and technical education transportation – state highway fund.....	No limit
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Provided, That on July 1, 2013, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of education.

Educational technology coordinator fund.....	No limit
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Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2014, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2014 in order to assess the cost effectiveness of the position of educational technology coordinator.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2014, 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, 2013, 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, 2014, 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 \$550,000 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, 2014, 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 \$550,000 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, 2013, and quarterly thereafter, the director of accounts and reports shall transfer \$56,800 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, 2013, 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.

(i) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2014, the following:

KPERS – school employer contribution.....\$37,512,000

(j) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$85,811 from the USAC E-rate program federal fund of the state board of regents to the education technology coordinator fund of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*; That such information and data shall be available by the department of education by the end of the fiscal year 2014.

Sec. 144.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$11,378,540

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Special education services aid.....\$417,717,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year

2015: *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.....\$1,875,932,270
Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Discretionary grants.....\$572,457
Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2015, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *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: *And provided further*, That during the fiscal year ending June 30, 2015, expenditures shall be made by the above agency from the discretionary grants fund for fiscal year 2015 to establish a pilot program for communities in schools programming in three school districts in Kansas: *And provided further*, That communities in schools shall conduct an outcomes based study of its programming during fiscal year 2015: *And provided further*, That the Kansas department of education is hereby authorized and directed to provide to communities in schools such student or other data as shall be necessary to permit communities in schools to conduct such study of outcomes regarding the students assisted with such communities in schools programming: *And provided further*, That such data shall include data regarding demographically similar students at peer institutions not involved in communities in schools programs, to permit the research study to compare outcomes of students receiving communities in schools services versus students not receiving such services: *And provided further*, That upon providing the Kansas department of education with the names of students participating in the communities in schools program, the Kansas department of education shall provide the current status of students identified as participating in the program.

School food assistance.....\$2,510,486

School safety hotline.....	\$10,000
Technical education promotion.....	\$50,000
KPERS – employer contributions.....	\$363,284,462

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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
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School district juvenile detention facilities and Flint Hills job corps center grants.....	\$5,571,500
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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, 2014, is hereby reappropriated for fiscal year 2015: *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, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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

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.

Private donations, gifts, grants and bequests fund.....No limit
 Interactive video fee fund.....No limit
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.

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
 General state aid transportation weighting – state highway fund.....No limit
Provided, That on July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

Special education transportation weighting – state highway fund.....No limit
Provided, That on July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015,

the director of accounts and reports shall transfer \$2,500,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

Career and technical education transportation – state highway fund.....No limit
Provided, That on July 1, 2014, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of education.

Educational technology coordinator fund.....No limit
 (c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2015, 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, 2014, 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, 2015, 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 \$550,000 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, 2015, 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 \$550,000 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, 2014, and quarterly thereafter, the director of accounts and reports shall transfer \$61,892 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, 2014, 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.

(i) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2015, the following:

 KPERS – school employer contribution.....\$39,490,000

(j) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$85,811 from the USAC E-rate program federal fund of the state board of regents to the education technology coordinator fund of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*; That such information and data shall be available by the department of education by the end of the fiscal year 2015.

Sec. 145.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

 Operating expenditures.....\$1,360,843

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$892.

 Grants to libraries and library systems.....\$2,825,048

Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,332,419 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$305,553 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, 2014, 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. 146.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$1,279,964
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$892.

Grants to libraries and library systems.....\$2,824,933
Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,332,419 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$305,438 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, 2015, 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. 147.

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, 2014, the following:

Operating expenditures.....\$4,989,657
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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. 148.

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, 2015, the following:

Operating expenditures.....\$5,028,731

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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. 149.

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, 2014, the following:

Operating expenditures.....	\$8,549,886
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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

Sec. 150.

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, 2015, the following:

Operating expenditures.....\$8,688,190
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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

Sec. 151.
 STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$4,302,928
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Kansas humanities council.....\$54,797

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 \$78,636.

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 2014 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
 Archeology federal 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. 152.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$4,302,233

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Kansas humanities council.....\$54,797

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 \$78,636.

Land survey fee fund.....	No limit
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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 2015 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
Archeology federal 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. 153.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....	\$31,454,822
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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, 2013, is hereby reappropriated for fiscal year 2014.

Master's-level nursing capacity.....	\$132,773
Kansas wetlands education center at Cheyenne bottoms.....	\$261,883

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Kansas academy of math and science.....	\$727,340
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Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2013, is hereby reappropriated for

fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 fees 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, 2013, 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. 154.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$31,774,143
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.
 Master's-level nursing capacity.....\$132,813
 Kansas wetlands education center at Cheyenne bottoms.....\$262,366

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Kansas academy of math and science.....\$727,493

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 general 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 fees 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, 2014, 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. 155.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$98,892,136
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

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, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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; communications and marketing; 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 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.

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, 2013, 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. 156.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....	\$99,762,738
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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, 2014, is hereby reappropriated for fiscal year 2015.

Midwest institute for comparative stem cell biology.....	\$129,833
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Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
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Restricted fees fund.....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; 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 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.

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
 (c) On July 1, 2014, 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. 157.

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, 2014, the following:

Cooperative extension service (including official hospitality)..... \$17,551,393

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Agricultural experiment stations (including official hospitality)..... \$27,926,746

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 2014: *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
<i>Provided</i> , That expenditures may be made from the sponsored research overhead 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
<i>Provided</i> , 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, 2014, the following:

Agricultural experiment stations.....	\$299,295
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(d) During the fiscal year ending June 30, 2014, 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. 158.

**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, 2015, the following:

Cooperative extension service (including official hospitality).....	\$17,768,073
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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, 2014, is hereby reappropriated for fiscal year 2015.

Agricultural experiment stations (including official hospitality).....	\$28,287,113
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Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 2014: *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 the sponsored research overhead 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, 2015, the following:

Agricultural experiment stations.....\$299,686

(d) During the fiscal year ending June 30, 2015, 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. 159.

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, 2014, the following:

Operating expenditures (including official hospitality).....\$9,484,593

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Operating enhancement.....\$4,999,382

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

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.

Veterinary medicine teaching hospital revenue fund.....No limit

Faculty of distinction matching fund.....No limit

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 the sponsored research overhead 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, 2013, 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. 160.

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, 2015, the following:

Operating expenditures (including official hospitality).....\$9,623,280

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Operating enhancement.....\$5,000,205

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
Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.

Veterinary medicine teaching hospital revenue fund.....No limit
 Faculty of distinction matching fund.....No limit
 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 the sponsored research overhead 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, 2014, 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. 161.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$29,298,396

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Reading recovery program.....\$214,801

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, 2014, 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, 2013, 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. 162.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$29,502,987

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Reading recovery program.....\$214,889

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, 2015, 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.....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, 2014, 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. 163.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$32,678,073

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

School of construction.....\$749,569

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Polymer science program.....\$999,821

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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

Provided, 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

Provided, 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: *Provided further*, 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, 2014, 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. 164.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....	\$33,074,319
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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, 2014, is hereby reappropriated for fiscal year 2015.

School of construction.....	\$749,805
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Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Polymer science program.....	\$999,903
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Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
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Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....	No limit
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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
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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

Provided, 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

Provided, 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: *Provided further*, 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 fundNo 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, 2015, 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. 165.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$127,555,647

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Geological survey.....\$5,877,588

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Umbilical cord matrix project.....\$130,796

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
<i>Provided</i> , 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

(c) On July 1, 2013, 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, 2014, 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, 2013, in the geological survey account is hereby reappropriated for fiscal year 2014.

Sec. 166.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$128,871,358

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Geological survey.....\$5,880,186

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Umbilical cord matrix project.....\$130,847

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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

(c) On July 1, 2014, 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, 2015, 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, 2014, in the geological survey account is hereby reappropriated for fiscal year 2015.

Sec. 167.

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, 2014, the following:

Operating expenditures (including official hospitality).....\$97,216,268

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2013, is hereby reappropriated for fiscal year 2014.

Midwest stem cell therapy center \$1,154,500

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.

Midwest stem cell therapy center fund.....\$0

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

Provided, 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

Provided, 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
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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, 2013, 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, 2014, 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.

(e) During the fiscal year ending June 30, 2014, the university of Kansas medical center or the board of regents shall not expend any moneys appropriated for the fiscal year ending June 30, 2014, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2013 regular session of the legislature, to reduce enrollment or eliminate programs at the Salina, Wichita, Lawrence or Kansas City campus of the university of Kansas medical center, unless the percentage reduction applied to the Salina, Wichita, Lawrence or Kansas City campus of the university of Kansas medical center shall be the same and imposed equally on all such campuses of the university of Kansas medical center.

Sec. 168.

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, 2015, the following:

Operating expenditures (including official hospitality).....	\$97,397,855
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: <i>Provided further</i> ; 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
<i>Provided</i> , That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.	
Midwest stem cell therapy center.....	\$745,500

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
 Midwest stem cell therapy center fund.....\$0

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

Provided, 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

Provided, 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, 2014, 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, 2015, 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.

(e) During the fiscal year ending June 30, 2015, the university of Kansas medical center or the board of regents shall not expend any moneys appropriated for the fiscal year ending June 30, 2015, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 regular session of the legislature, to reduce enrollment or eliminate programs at the Salina, Wichita, Lawrence or Kansas City campus of the university of Kansas medical center, unless the

percentage reduction applied to the Salina, Wichita, Lawrence or Kansas City campus of the university of Kansas medical center shall be the same and imposed equally on all such campuses of the university of Kansas medical center.

Sec. 169.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$63,016,873

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.....	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, 2014, the following:

Aviation infrastructure.....	\$2,981,537
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Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014:

Provided further, That during the fiscal year ending June 30, 2014, 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 2014 by Wichita state university by this or other appropriation act of the 2013 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2014 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2013, and June 30, 2014, 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 or

funds for the above agency for fiscal year 2013 or fiscal year 2014 by chapter 175 of the 2012 Session Laws of Kansas, or by this or other appropriation act of the 2013 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 2013 and fiscal year 2014, 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 2013 and fiscal year 2014: *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 2014 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 2013 and fiscal year 2014.

(e) On July 1, 2013, the leveraging educational assistance partnership – federal fund of Wichita state university is hereby redesignated as the leveraging educational assistance partnership fund of Wichita state university.

Sec. 170.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$64,004,622

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.....	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, 2015, the following:

Aviation infrastructure.....	\$2,981,537
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Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, That during the fiscal year ending June 30, 2015, 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 2015 by Wichita state university by this or other appropriation act of the 2013 or 2014 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2015 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2014, and June 30, 2015, 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 or funds for the above agency for fiscal year 2014 or fiscal year 2015 by this or other appropriation act of the 2013 or 2014 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 2014 and fiscal year 2015, 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 2014 and fiscal year 2015: *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 2015 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 2014 and fiscal year 2015.

Sec. 171.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures (including official hospitality).....\$3,302,359

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, That, during fiscal year 2014, 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 2014 by the state board of regents as authorized by this or other appropriation act of the 2013 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 2014 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 2014, 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 2014 by the state board of regents as authorized by this or other appropriation act of the 2013 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 2014 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.....\$1,044,601

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$15,443,172

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year

2014.

Ethnic minority scholarship program.....\$290,568
Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Kansas work-study program.....\$486,877
Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$171,829
Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Military service scholarships.....\$460,908
Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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. 2012 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,809,394
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

National guard educational assistance.....\$853,451
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Vocational scholarships.....\$111,793
Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Nursing student scholarship program.....\$408,909
Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Optometry education program.....\$104,947
Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Municipal university operating grant.....\$10,961,222

Adult basic education.....\$1,446,877

Postsecondary tiered technical education

state aid..... \$58,300,961

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2014, 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, 2013, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2014 and the amount of moneys appropriated for the above agency fiscal year 2013 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2012 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 2014 that is less than the amount such eligible institution received from such account in fiscal year 2013, unless the amount of moneys appropriated for the above agency for fiscal year 2013 in the postsecondary tiered technical education state aid account for fiscal year 2014 is less than the amount of moneys appropriated for the above agency for fiscal year 2013 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 2014 is less than the amount of moneys appropriated for the above agency for fiscal year 2013 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..... \$76,496,329

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.....\$1,759,676

Tuition waivers.....\$82,963

Nurse educator grant program.....\$184,364

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$1,785,671

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 nursing 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.....\$679,979

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 2014, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2014 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 2014 regular session of the legislature.

Incentive for technical education.....\$1,500,000

Tuition for technical education.....\$8,750,000

Any unencumbered balance in the following account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: Southwest Kansas access project.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.

KAN-ED services fee fund.....No limit

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
<i>Provided</i> , 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

(c) During the fiscal year ending June 30, 2014, 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, 2014, to another item of appropriation in an account of the state general fund for fiscal year 2014. 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 2014 for such state educational institution as authorized by this or other appropriation act of the 2013 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 2014 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 2014: *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 2014 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, 2014, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2014: *Provided further*, 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.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2013, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2014.

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) On July 1, 2013, the director of accounts and reports shall transfer \$1,000,000 from the proprietary school fee fund of the state board of regents to the state general fund.

(g) On July 1, 2013, the director of accounts and reports shall transfer \$23,000 from the special tuition reimbursement fund of the state board of regents to the state general fund. On July 1, 2013, all liabilities of the special reimbursement tuition fund are hereby transferred to and imposed on the state general fund and the special reimbursement tuition fund is hereby abolished.

Sec. 172.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures (including official hospitality).....\$3,443,800

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, That, during fiscal year 2015, 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 2015 by the state board of regents as authorized by this or other appropriation act of the 2013 or 2014 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 2015 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 2015, 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 2015 by the state board of regents as authorized by this or other appropriation act of the 2013 or 2014 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 2015 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, 2014, is hereby reappropriated for fiscal year 2015: *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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015: *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, 2014, is hereby reappropriated for fiscal year 2015.

Military service scholarships.....\$470,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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. 2012 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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Vocational scholarships.....\$114,075

Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

Optometry education program.....\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Municipal university operating grant.....\$10,961,222

Adult basic education.....\$1,457,031

Postsecondary tiered technical education state aid.....	\$57,400,209
<p><i>Provided</i>, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2015, 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, 2014, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2015 and the amount of moneys appropriated for the above agency fiscal year 2014 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2012 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: <i>Provided further</i>, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2015 that is less than the amount such eligible institution received from such account in fiscal year 2014, unless the amount of moneys appropriated for the above agency for fiscal year 2014 in the postsecondary tiered technical education state aid account for fiscal year 2015 is less than the amount of moneys appropriated for the above agency for fiscal year 2014 in the postsecondary tiered technical education state aid account: <i>And provided further</i>, That if the amount of moneys appropriated for the above agency for fiscal year 2015 is less than the amount of moneys appropriated for the above agency for fiscal year 2014 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.</p>	
Non-tiered course credit hour grant.....	\$75,302,309
Technology equipment at community colleges and Washburn university.....	\$398,475
<p><i>Provided</i>, 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.</p>	
Vocational education capital outlay aid.....	\$71,585
Tuition waivers.....	\$84,657
Nurse educator grant program.....	\$188,126
<p><i>Provided</i>, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: <i>Provided further</i>, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.</p>	
Nursing faculty and supplies grant program.....	\$1,787,193
<p><i>Provided</i>, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: <i>Provided further</i>, 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: <i>And provided further</i>, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the state educational institution receiving</p>	

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.....	\$600,000
Incentive for technical education.....	\$1,500,000
Tuition for technical education.....	\$8,750,000

Any unencumbered balance in the following account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Southwest Kansas access project.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
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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
(c) During the fiscal year ending June 30, 2015, 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, 2015, to another item of appropriation in an account of the state general fund for fiscal year 2015. 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 2015 for such state educational institution as authorized by this or other appropriation act of the 2013 or 2014 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 2015 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 2015: *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 2015 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, 2015, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2015: *Provided further*, 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.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2014, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2015.

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.

Sec. 173.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures\$13,616,368

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services.....\$3,107,437

Provided, That any unencumbered balance in the operating expenditures account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the operating expenditures – juvenile services account of the above agency for fiscal year 2014: *Provided, however*, That expenditures from the operating expenditures – juvenile services account for official hospitality shall not exceed \$2,000.

Management information systems.....\$983,653

Provided, That any unencumbered balance in the management information systems account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the management information systems account of the above agency for fiscal year 2014.

Community corrections.....\$19,583,912

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 2014 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.....\$600,000

Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, 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.....\$51,562,663

Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Purchase of services.....\$24,741,851

Provided, That any unencumbered balance in the purchase of services account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the purchase of services account of the above agency for fiscal year 2014.

Prevention and graduated sanctions community grants.....\$21,033,874

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the prevention and graduated sanctions community grants account of the above agency for fiscal year 2014: *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.

Topeka correctional facility – facilities operations.....\$14,056,984

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$30,754,274

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$40,526,885

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, That expenditures from the

Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$14,438,876

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$13,085,481

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$15,662,439

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$26,998,840

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$10,624,217

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex facility operations.....\$17,444,651

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the Kansas juvenile correctional complex facility operations account of the above agency for fiscal year 2014: *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 accredited educational services providers.

Larned juvenile correctional facility operations.....\$9,285,770

Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account of the juvenile justice authority in excess of \$100 as of June 30, 2013, is hereby reappropriated to the Larned juvenile correctional facility operations account of the above agency for fiscal year 2014: *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 accredited educational services providers.

Facilities operations.....\$14,521,271

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Labette facility operations.....\$1,306,363

Provided, That any unencumbered balance in the Labette facility operations account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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:

Supervision fees fund.....No limit

Residential substance abuse treatment – federal fund.....No limit

Department of corrections forensic psychologist fund.....No limit

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

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

Department of corrections state asset forfeiture fund.....No limit

Chapter I – federal fund.....No limit

Victims of crime act – federal fundNo limit

Correctional industries fund.....No limit

Provided, 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

Community awareness project – 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

Provided, That expenditures may be made from the alcohol and drug abuse treatment 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

Provided, 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: *Provided further*; That the secretary of corrections 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 department of corrections – general fees fund.

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
Hutchinson correctional facility – general fees fund.....	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
Norton correctional facility – general fees fund.....	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
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
Byrne grant – federal fund – Larned juvenile correctional facility.....	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
Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	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
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) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2014, the following:

Judge Riddel boys ranch \$750,000

(d) During the fiscal year ending June 30, 2014, 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, 2014, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2014 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile 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.

(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 secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2014 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.

(f) 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 2014 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, 2013, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2013.

(g) On July 1, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, 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.

(h) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$750,000 from the correctional industries fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the correctional industries fund to the state general fund as prescribed by law: *Provided further*, That the amounts transferred from the correctional industries 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 corrections by other state agencies which receive appropriations from the state general fund to provide such services.

(i) During the fiscal year ending June 30, 2014, 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.

(j) On July 1, 2013, 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 addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(k) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2014, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2014 for purchase of services.

Sec. 174.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures\$12,331,705

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services.....\$3,121,196
Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the operating expenditures – juvenile services account for official hospitality shall not exceed \$2,000.

Management information systems.....\$989,699
Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Community corrections.....\$20,583,912
Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 2015 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.....\$600,000
Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*; 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.....\$51,571,237
Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Purchase of services.....\$25,181,816
Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Prevention and graduated sanctions community grants.....\$21,383,874
Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.

Topeka correctional facility – facilities operations.....\$14,159,730
Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$30,973,523
Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby

reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$40,395,450

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$14,528,984

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,998,080

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$15,575,469

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$27,194,672

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$10,701,712

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex facility operations.....\$17,562,353

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 accredited educational services providers.

Larned juvenile correctional facility operations.....\$9,342,665
Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 accredited educational services providers.

Facilities operations.....\$14,521,271
Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Labette facility operations.....\$1,313,586
Provided, That any unencumbered balance in the labette facility operations account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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:

Supervision fees fund.....No limit
 Residential substance abuse treatment – federal fund.....No limit
 Department of corrections forensic psychologist fund.....No limit

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

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
 Department of corrections state asset forfeiture fund.....No limit
 Chapter I – federal fund.....No limit
 Victims of crime act – federal fundNo limit
 Correctional industries fund.....No limit

Provided, 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
 Community awareness project – 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

Provided, That expenditures may be made from the alcohol and drug abuse treatment 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.	
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
Hutchinson correctional facility – general fees fund.....	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
Norton correctional facility – general fees fund.....	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
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
Byrne grant – federal fund – Larned juvenile correctional facility.....	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
Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	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
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, 2015, 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, 2015, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2015 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile 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 2015 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 2015 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, 2014, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2014.

(f) On July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, 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, 2015, 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, 2014, 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 addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2015, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2015 for purchase of services.

(j) Any unencumbered balance in each of the following accounts in the children's initiatives fund in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Judge Riddel boys ranch.

Sec. 175.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$4,910,417

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team.....\$16,202

Provided, That any unencumbered balance in the incident management team account

in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Civil air patrol – operating expenditures.....\$35,097
 Military activation payments.....\$15,807

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, 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. 2012 Supp. 75-3228, and amendments thereto.

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 account.

Any unencumbered balance in excess of \$100 as of June 30, 2013, in each of the following accounts is hereby reappropriated for fiscal year 2014: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
 Office of emergency communications fund.....No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *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 above agency's communication equipment 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 above agency's communication equipment 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 office of emergency communications fund.

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
Pre-disaster mitigation – 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 2014 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

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 2014 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2013 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 2014, 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 2014 made by this or other appropriation act of the 2013 regular session of the legislature.

(d) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

(e) On June 30, 2013, of the \$6,028,703 appropriated for the above agency for the fiscal year ending June 30, 2013, by section 105(a) of chapter 175 of the 2012 Session Laws of Kansas from the state general fund in the disaster relief account, the sum of \$397,859 is hereby lapsed.

Sec. 176.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$5,000,463

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team.....\$16,202

Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Civil air patrol – operating expenditures.....\$35,308

Military activation payments.....\$15,807

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, 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. 2012 Supp. 75-3228, and amendments thereto.

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 account.

Any unencumbered balance in excess of \$100 as of June 30, 2014, in each of the following accounts is hereby reappropriated for fiscal year 2015: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
Office of emergency communications fund.....	No limit
<i>Provided</i> , That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: <i>Provided further</i> , That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: <i>And provided further</i> , That all fees received for use of the above agency's communication equipment 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 office of emergency communications fund.	
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
Pre-disaster mitigation – 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 2015 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

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 2015 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2013 or 2014 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 2015, 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 2015 made by this or other appropriation act of the 2013 or 2014 regular session of the legislature.

(d) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

(e) On June 30, 2015, any unencumbered balance for the above agency in the disaster relief account of the state general fund is hereby lapsed.

Sec. 177.

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, 2014, 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.....\$3,354,744
Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund.....No limit
 Gifts, grants and donations fund.....No limit
 Hazardous material program fund.....\$364,731
 Intragovernmental service fund.....No limit
 Explosives regulatory and training fund.....No limit
 State fire marshal liquefied petroleum gas fee fund.....\$157,028
 Hazardous materials emergency fund.....\$240,903

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2014 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 2014 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, 2013, and January 1, 2014, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$182,366 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, 2014, 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, 2014, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2014, 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 2014, 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 2014 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2014 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 2014 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, 2014, 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 2014, 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 2014 are insufficient to meet in full the estimated expenditures for fiscal year 2014 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 2014: *Provided*, That the aggregate amount of such transfers during fiscal year 2014 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 to the director of accounts and reports during fiscal year 2014, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 178.

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, 2015, 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.....	\$3,291,929
<i>Provided</i> , That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.	
Boiler inspection fee fund.....	No limit
Gifts, grants and donations fund.....	No limit
Hazardous material program fund.....	\$363,314
Intragovernmental service fund.....	No limit

Explosives regulatory and training fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$157,742
Hazardous materials emergency fund.....	\$243,058

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2015 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 2015 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, 2014, and January 1, 2015, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$181,657 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, 2015, 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, 2015, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2015, 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 2015, 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 2015 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2015 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 2015 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, 2015, 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 2015, 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 2015 are insufficient to meet in full the estimated expenditures for fiscal year 2015 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 2015: *Provided*, That the aggregate amount of such transfers during fiscal year 2015 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 to the director of accounts and reports during fiscal year 2015, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 179.

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, 2014, 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
Provided, 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
Provided, 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.....	No limit
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
Cops grant – federal fund.....	No limit
KHP federal forfeiture – federal fund.....	No limit
<i>Provided</i> , That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.	
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
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: *And provided further*, 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.....\$53,989,285

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, 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 expenditures shall be made from the Kansas highway patrol operations fund for a 5.0 percent pay increase for state troopers, excluding the colonel and lieutenant colonel, during fiscal year 2014.

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, 2014, 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, 2013, and January 1, 2014, 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, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$13,530,614.25 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 2014 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 2014 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2013, 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 \$295,000 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, 2013, 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, 2013, and January 1, 2014, 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.

Sec. 180.

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, 2015, 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
Provided, 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
Provided, 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.....	No limit
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
Cops grant – federal fund.....	No limit
KHP federal forfeiture – federal fund.....	No limit
<i>Provided</i> , That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.	
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
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: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, 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: *And provided further*, 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.....\$56,502,222

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, 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.

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, 2015, 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, 2014, and January 1, 2015, 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, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$15,061,899 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 2015 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 2015 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2014, 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 \$295,000 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, 2014, 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, 2014, and January 1, 2015, 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.

Sec. 181.

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, 2014, the following:

Operating expenditures.....\$15,839,085

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated to the operating expenditures account for fiscal year 2014: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750: *And provided further*; That expenditures shall be made from the operating expenditures account for the purposes of paying expenses of the Kansas bureau of investigation incurred in preparation and execution of the agreement authorized by this proviso: *And provided further*; That the Kansas bureau of investigation is authorized to enter into an agreement with Washburn university pursuant to which Washburn university will design, construct, and equip for the Kansas bureau of investigation a new forensic

science laboratory and parking and other related premises at Washburn university: *And provided further*, That the Kansas bureau of investigation and the department of administration are authorized to negotiate and execute a lease with Washburn university for such forensic science laboratory.

Meth lab cleanup.....\$50,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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.....\$743,390

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. 182.

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, 2015, the following:

Operating expenditures.....\$15,829,453

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated to the operating expenditures account for fiscal year 2015: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$250,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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.....\$743,390
- 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. 183.

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, 2014, 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.....\$1,301,755

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

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

- EMS revolving fund.....No limit

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, 2014.

- National bioterrorism hospital preparedness – federal fund.....No limit

- Highway safety – federal fund.....No limit

(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 2014 by this or other appropriation act of the 2013 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 2014 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 or funds for the emergency medical services board for fiscal year 2014, as authorized by this or any other appropriation act of the 2013 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 or funds for the emergency medical services board for fiscal year 2014 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, 2013, and January 1, 2014, 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, 2014, 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 2014, 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 2014 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2014 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 2014 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, 2014, 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, 2014.

Sec. 184.

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, 2015, 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.....\$1,301,782

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

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

- EMS revolving fund.....No limit

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, 2014.

- National bioterrorism hospital preparedness – federal fund.....No limit

- Highway safety – federal fund.....No limit

(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 2015 by this or other appropriation act of the 2013 or 2014 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 2015 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 or funds for the emergency medical services board for fiscal year 2015, as authorized by this or any other appropriation act of the 2013 or 2014 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 or funds for the emergency medical services board for fiscal year 2015 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, 2014, and January 1, 2015, 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, 2015, 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 2015, 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 2015 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2015 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 2015 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, 2015, 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, 2015.

Sec. 185.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$691,036

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Substance abuse treatment programs.....\$6,339,506

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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. 186.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$687,030

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Substance abuse treatment programs.....\$6,339,506

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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. 187.

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, 2014, 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.....\$528,351

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund.....No limit
Sec. 188.

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, 2015, 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.....\$527,899

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund.....No limit
Sec. 189.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$9,584,598

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated to the operating expenditures account for fiscal year 2014: *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, 2014, 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.....No limit

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. 2012 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.....	No limit
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
USDA quality samples – 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
Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....No limit
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 fundNo 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 fee 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 fund	No 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
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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 2014 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, 2014.

- Grain warehouse inspection fund.....No limit
- Feral swine eradication fund.....No limit
- Livestock market reporting fund.....No limit
- Compliance education fee fund.....No limit

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 2014, 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
- 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, 2014, for the water plan project or projects specified, the following:

- Water resources cost share.....\$2,164,973

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*; That the initial allocation for grants to conservation districts for fiscal year 2014 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 2014 for the water resources cost share account.

- Nonpoint source pollution assistance.....\$2,065,031

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

- Conservation district aid.....\$2,325,375

Provided, That any unencumbered balance in the conservation district aid account in

excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Watershed dam construction.....\$640,544

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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.....\$286,868

Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Kansas water quality buffer initiatives.....\$277,573

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 2015 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.....\$169,628

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Basin management.....\$690,023

Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Water use.....\$61,683

Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Interstate water issues.....\$497,351

Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Conservation reserve enhancement program.....\$499,578

Provided, That any unencumbered balance in the water transition assistance program/conservation reserve enhancement program account in excess of \$100 as of June 30, 2013, is hereby reappropriated to the conservation reserve enhancement program account for fiscal year 2014: *Provided further*; That, in addition, fiscal year 2014 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: *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 seven fiscal years 2008, 2009, 2010, 2011, 2012, 2013, and 2014 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 2014 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, fiscal year 2013 and fiscal year 2014, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013 and fiscal year 2014, 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, fiscal year 2013 and fiscal year 2014, 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, fiscal year 2013 and fiscal year 2014, 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, fiscal year 2013 and fiscal year 2014, 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, 2014, the secretary of agriculture, 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, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2014 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2014 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, 2013, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$123,006 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, 2014, the following:

Agriculture marketing program.....\$570,832

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.

(g) On July 1, 2013, the director of accounts and reports shall transfer \$300,000 from the compliance education fee fund of the Kansas department of agriculture to the state general fund.

Sec. 190.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$9,521,285

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated to the operating expenditures account for fiscal year 2015: *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, 2015, 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.....	No limit
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. 2012 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.....	No limit
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
USDA quality samples – 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
Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....No limit
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 fundNo 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 fee 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 fund	No 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
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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 2014 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, 2014.

- Grain warehouse inspection fund.....No limit
- Feral swine eradication fund.....No limit
- Livestock market reporting fund.....No limit
- Compliance education fee fund.....No limit

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 2015, 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
- 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, 2015, for the water plan project or projects specified, the following:

- Water resources cost share.....\$1,948,289

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2015 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 for 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 2015 for the water resources cost share account.

- Nonpoint source pollution assistance.....\$1,858,350

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

- Conservation district aid.....\$2,092,637

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

- Watershed dam construction.....\$576,434

Provided, That any unencumbered balance in the watershed dam construction

account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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.....\$258,156
Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Kansas water quality buffer initiatives.....\$249,792
Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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 2015 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.....\$152,651
Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Basin management.....\$620,961
Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Water use.....\$55,509
Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Interstate water issues.....\$447,573
Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Conservation reserve enhancement program.....\$449,577
Provided, That any unencumbered balance in the conservation reserve enhancement program account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, That, in addition, fiscal year 2015 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: *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 seven fiscal years 2008, 2009, 2010, 2011, 2012, 2013, 2014 and 2015 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, 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 2014 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, fiscal year 2013, fiscal year 2014 and fiscal year 2015, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, 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, fiscal year 2013, fiscal year 2014 and fiscal year 2015, 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, fiscal year 2013, fiscal year 2014 and fiscal year 2015, 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, fiscal year 2013, fiscal year 2014 and fiscal year 2015, 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, 2015, the secretary of agriculture, 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, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2015 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2015 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, 2014, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 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, 2015, the following:

Agriculture marketing program.....\$575,110

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.

(g) On July 1, 2014, the director of accounts and reports shall transfer \$200,000 from the compliance education fee fund of the Kansas department of agriculture to the state general fund.

Sec. 191.

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, 2014, 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, 2014, the following:

State fair debt service.....\$341,331

Sec. 192.

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, 2015, 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, 2015, the following:

State fair debt service.....\$315,831
 Sec. 193.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Water resources operating expenditures.....\$1,181,972

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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, 2014, 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 2014, 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, 2013, 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, 2014, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$498,629
Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

GIS data base development.....\$124,792
Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Weather modification program.....\$100,000
Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

MOU – storage operations and maintenance.....\$322,099
Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Stream gaging.....\$479,230
Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Technical assistance to water users.....\$404,732
Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Wichita aquifer storage and recovery project.....\$499,166
Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: Neosho river basin issues.

(d) During the fiscal year ending June 30, 2014, 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 2014 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2014 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.

(e) During the fiscal year ending June 30, 2014, 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.

(f) During the fiscal year ending June 30, 2014, 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.

(g) During the fiscal year ending June 30, 2014, 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, 2014, 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.

(h) During the fiscal year ending June 30, 2014, 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 2014 by this or other appropriation act of the 2013 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 2014, 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. 194.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Water resources operating expenditures.....\$1,189,183

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *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, 2015, 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 2015, 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, 2014, 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, 2015, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$448,725
Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

GIS data base development.....\$112,306
Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

MOU – storage operations and maintenance.....\$289,889
Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Stream gaging.....\$431,282
Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Technical assistance to water users.....\$364,238
Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Wichita aquifer storage and recovery project.....\$449,225
Provided, That any unencumbered balance in the Wichita aquifer recovery project

account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(d) During the fiscal year ending June 30, 2015, 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 2015 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2015 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.

(e) During the fiscal year ending June 30, 2015, 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.

(f) During the fiscal year ending June 30, 2015, 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.

(g) During the fiscal year ending June 30, 2015, 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, 2015, 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.

(h) During the fiscal year ending June 30, 2015, 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 2015 by this or other appropriation act of the 2013 or 2014 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 2015, 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. 195.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2014, the following:

Operating expenditures.....\$3,026,203

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *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 2014, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2014 to include a provision on the calendar year 2014 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.....\$884,040

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided, however*, that expenditures from this account for official hospitality

shall not exceed \$1,000.

Travel and tourism operating expenditures.....\$1,739,098

Provided, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, 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 2014 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.

Reimbursement for annual park permits issued to national guard members.....\$17,922

Provided, 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, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, 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 2014 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 further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014: *Provided further*, 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 2014 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%; *And provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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.....\$25,998,361

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2014 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 2014: *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 may be made from the wildlife fee fund in an amount not to exceed \$2,108,000 for the fiscal year 2014 for the purposes of the hunting access and conservation habitat program for public hunting access.

Parks fee fund.....\$7,261,605

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2014 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 2014: *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.....\$873,350

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2014 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 2014: *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.....	\$846,456
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 2014, expenditures may be 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 2014: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit
EPA – sect 319 nonpoint source fund.....	No limit
Energy efficiency/conservation block grant fund.....	No limit
Endangered species – recovery fund.....	No limit
Wetlands reserve program fund.....	No limit

Sec. 196.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2015, the following:

Operating expenditures.....\$3,043,135

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015:

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 2015, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2015 to include a provision on the calendar year 2015 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.....\$893,429

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided, however*; that expenditures from this account for official hospitality shall not exceed \$1,000.

Travel and tourism operating expenditures.....\$1,744,075

Provided, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses

issued to national guard members account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, 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 2015 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.

Reimbursement for annual park permits issued to national guard members.....\$17,922

Provided, 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, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, 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 2015 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 further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: *Provided further*, 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 2015 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%: *And provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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.....\$24,003,137

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2015 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 2015: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Parks fee fund.....\$7,284,260

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2015 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 2015: *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.....\$1,176,761

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2015 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 2015: *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.....\$851,441

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
<i>Provided</i> , 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 2015, expenditures may be 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: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2015: <i>And provided further</i> , That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.	
Free licenses and permits fund.....	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit

EPA – sect 319 nonpoint source fund.....	No limit
Energy efficiency/conservation block grant fund.....	No limit
Endangered species – recovery fund.....	No limit
Wetlands reserve program fund.....	No limit

Sec. 197.

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, 2014, 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
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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 fund.....	No 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, 2014, 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
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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 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 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

Municipal university forensic laboratory fund No limit

Provided, That during the fiscal year ending June 30, 2014, expenditures shall be made by the above agency from the municipal university forensic laboratory fund for fiscal year 2014 to Washburn university to design, construct, and equip a new forensic science laboratory and parking and other related premises at Washburn university for use by the Kansas bureau of investigation: *Provided further*; That such expenditures shall not exceed \$3,500,000.

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2014, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2014, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$256,543,244

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:

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be 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, 2013, 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 2014.

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 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2014 for the following capital improvement

project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,428,873
Buildings – reroofing.....	\$165,675
Buildings – other construction, renovation and repair.....	\$2,541,947

(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 2014, expenditures may be made by the above agency from the state highway fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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 2014 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2013, subject to the provisions of subsection (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 2014.

(d) During the fiscal year ending June 30, 2014, 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 2014 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 2014 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, 2014, 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, 2014, 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, 2014, 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 2014.

(h) For the fiscal year ending June 30, 2014, 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) On July 1, 2013, October 1, 2013, January 1, 2014, and April 1, 2014, or as soon after each such date as moneys are available, the director of accounts and reports shall

transfer \$3,750,000 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*; That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2014 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2014.

(j)(1) On July 1, 2013, 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 \$3,500,000 from the state highway fund of the department of transportation to the municipal university forensic laboratory fund of the department of transportation.

(2) On or before June 30, 2015, the transfer made in subsection (j)(1) shall be repaid in full to the state highway fund of the department of transportation by Washburn university. Such transfer of money 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. During fiscal year 2014, the secretary of transportation is hereby authorized to enter into an agreement with Washburn university to provide for the repayment of such transfer including other terms and conditions as may be prescribed by the secretary of transportation. Any such transfer may be repaid from the state general fund, any appropriate special revenue funds in the state treasury or any other source of funds of Washburn university. That all moneys received by the department of transportation for repayment of the transfer made under this subsection 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 highway fund.

Sec. 198.

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, 2015, 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
<i>Provided</i> , 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 fund	No 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, 2015, 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 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 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, 2015, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2014, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$259,050,575

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:

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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be 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, 2014, 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 2015.

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 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,527,783
Buildings – reroofing.....	\$677,870
Buildings – other construction, renovation and repair.....	\$2,650,034

(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 2015, expenditures may be made by the above agency from the state highway fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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 2015 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2014, subject to the provisions of subsection (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 2015.

(d) During the fiscal year ending June 30, 2015, 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 2015 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 2015 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, 2015, 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, 2015, 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, 2015, 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 2015.

(h) For the fiscal year ending June 30, 2015, 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) On July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$3,750,000 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*; That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2015 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2015.

Sec. 199. Expenditure limitations on salaries and wages for fiscal year 2014. (a) The amount of salaries and wages, and associated fringe benefits, expended from appropriations for fiscal year 2014 made in this or other appropriation act of the 2013 or 2014 regular session of the legislature for the following agencies shall not exceed the following:

Abstracters' Board of Examiners.....	\$20,096
Board of Accountancy.....	\$188,031
State Bank Commissioner.....	\$9,427,485
Kansas Board of Barbering.....	\$112,323
Behavioral Sciences Regulatory Board.....	\$499,740
State Board of Healing Arts.....	\$2,852,029
Kansas State Board of Cosmetology.....	\$547,849
State Department of Credit Unions.....	\$866,372
Kansas Dental Board.....	\$177,544
State Board of Mortuary Arts.....	\$199,517
Board of Examiners in Fitting and Dispensing of Hearing	
Instruments	\$20,763
Board of Nursing.....	\$1,614,926
Board of Examiners in Optometry.....	\$54,947
State Board of Pharmacy.....	\$699,062
Real Estate Appraisal Board.....	\$154,373

Kansas Real Estate Commission.....	\$677,300
Office of the Securities Commissioner of Kansas.....	\$2,370,493
State Board of Technical Professions.....	\$271,261
State Board of Veterinary Examiners.....	\$218,114
Governmental Ethics Commission.....	\$486,566
Kansas Home Inspectors Registration Board.....	\$5,922
Legislative Coordinating Council	\$552,879
Legislature.....	\$10,661,850
Legislative Research Department.....	\$3,485,903
Office of Revisor of Statutes.....	\$2,541,865
Division of Post Audit.....	\$1,984,785
Governor's Department.....	\$2,691,580
Lieutenant Governor.....	\$157,363
Attorney General.....	\$8,251,997
State Treasurer.....	\$2,231,657
Pooled Money Investment Board.....	\$423,050
Insurance Department.....	\$8,450,483
Department of Commerce.....	\$15,631,904
Health Care Stabilization Fund Board of Governors.....	\$1,351,825
Judicial Council.....	\$480,314
State Board of Indigents' Defense Services	\$11,597,191
Judicial Branch.....	\$121,951,100
Kansas Public Employees Retirement System.....	\$7,050,323
Kansas Human Rights Commission.....	\$1,180,931
State Corporation Commission.....	\$14,197,238
Citizens' Utility Ratepayer Board.....	\$479,305
Department of Administration.....	\$36,923,977
Office of Administrative Hearings.....	\$681,133
State Court of Tax Appeals.....	\$1,566,954
Department of Revenue.....	\$52,010,465
Kansas Lottery.....	\$5,671,174
Kansas Racing and Gaming Commission – state gaming agency.....	\$5,948,900
Department of Labor.....	\$25,248,032
Kansas Commission on Veterans Affairs.....	\$15,793,192
Department of Health and Environment	\$70,153,245
Kansas Department for Children and Families.....	\$141,526,140
Kansas Department for Aging and Disability Services.....	\$16,086,545
Kansas Neurological Institute.....	\$22,583,519
Larned State Hospital.....	\$48,722,572
Osawatomie State Hospital.....	\$22,202,310
Parsons State Hospital and Training Center.....	\$21,396,175
Rainbow Mental Health Facility.....	\$5,686,079
Kansas Guardianship Program.....	\$563,169
Department of Education	\$17,524,550
State Library	\$1,729,433
Kansas State School for the Blind.....	\$4,927,208

Kansas State School for the Deaf.....	\$8,213,726
State Historical Society.....	\$5,070,306
Department of Corrections.....	\$26,264,542
El Dorado Correctional Facility	\$24,804,068
Ellsworth Correctional Facility	\$12,212,402
Hutchinson Correctional Facility	\$26,639,963
Lansing Correctional Facility	\$35,508,823
Larned Correctional Mental Health Facility	\$9,585,820
Larned Juvenile Correctional Facility	\$7,114,598
Kansas Juvenile Correctional Complex	\$12,790,171
Norton Correctional Facility	\$14,302,668
Topeka Correctional Facility	\$12,998,369
Winfield Correctional Facility	\$10,963,583
Adjutant General.....	\$25,108,757
State Fire Marshal.....	\$3,277,991
Kansas Highway Patrol.....	\$58,193,122
Attorney General – Kansas Bureau of Investigation.....	\$19,336,302
Emergency Medical Services Board.....	\$718,660
Kansas Sentencing Commission.....	\$718,139
Kansas Commission on Peace Officers' Standards and Training.....	\$402,932
Kansas Department of Agriculture.....	\$22,238,096
State Fair Board.....	\$1,783,857
Kansas Water Office.....	\$1,442,338
Kansas Department of Wildlife, Parks and Tourism.....	\$29,561,040
Department of Transportation.....	\$157,622,611

(b) During the fiscal year ending June 30, 2014, 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 2014 made in this or other appropriation act of the 2013 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 2014 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. 200. Expenditure limitations on salaries and wages for fiscal year 2015. (a) The amount of salaries and wages, and associated fringe benefits, expended from appropriations for fiscal year 2015 made in this or other appropriation act of the 2013 or 2014 regular session of the legislature for the following agencies shall not exceed the following:

Abstracters' Board of Examiners.....	\$20,096
Board of Accountancy.....	\$189,491
State Bank Commissioner.....	\$9,513,813
Kansas Board of Barbering.....	\$110,406
Behavioral Sciences Regulatory Board.....	\$505,202

State Board of Healing Arts.....	\$2,897,885
Kansas State Board of Cosmetology.....	\$546,823
State Department of Credit Unions.....	\$888,189
Kansas Dental Board.....	\$178,914
State Board of Mortuary Arts.....	\$200,966
Board of Examiners in Fitting and Dispensing of Hearing	
Instruments	\$20,763
Board of Nursing.....	\$1,640,623
Board of Examiners in Optometry.....	\$55,285
State Board of Pharmacy.....	\$711,827
Real Estate Appraisal Board.....	\$155,484
Kansas Real Estate Commission.....	\$671,619
Office of the Securities Commissioner of Kansas.....	\$2,386,567
State Board of Technical Professions.....	\$273,263
State Board of Veterinary Examiners.....	\$218,114
Governmental Ethics Commission.....	\$494,114
Kansas Home Inspectors Registration Board.....	\$5,922
Legislative Coordinating Council	\$556,430
Legislature.....	\$10,765,423
Legislative Research Department.....	\$3,509,467
Office of Revisor of Statutes.....	\$2,541,865
Division of Post Audit.....	\$1,999,358
Governor's Department.....	\$2,695,568
Lieutenant Governor.....	\$157,674
Attorney General.....	\$8,099,999
State Treasurer.....	\$2,248,164
Pooled Money Investment Board.....	\$426,781
Insurance Department.....	\$8,511,124
Department of Commerce.....	\$15,745,864
Health Care Stabilization Fund Board of Governors.....	\$1,361,064
Judicial Council.....	\$483,243
State Board of Indigents' Defense Services	\$11,691,207
Judicial Branch.....	\$122,596,353
Kansas Public Employees Retirement System.....	\$7,145,151
Kansas Human Rights Commission.....	\$1,191,352
State Corporation Commission.....	\$14,194,333
Citizens' Utility Ratepayer Board.....	\$483,011
Department of Administration.....	\$37,206,458
Office of Administrative Hearings.....	\$686,407
State Court of Tax Appeals.....	\$1,578,395
Department of Revenue.....	\$52,435,818
Kansas Lottery.....	\$5,721,333
Kansas Racing and Gaming Commission	\$5,992,573
Department of Labor.....	\$25,433,336
Kansas Commission on Veterans Affairs.....	\$15,899,648
Department of Health and Environment	\$70,643,372
Kansas Department for Children and Families.....	\$142,673,797

Kansas Department for Aging and Disability Services.....	\$16,211,211
Kansas Neurological Institute.....	\$22,769,312
Larned State Hospital.....	\$52,387,485
Osawatomie State Hospital.....	\$23,599,845
Parsons State Hospital and Training Center.....	\$23,299,137
Rainbow Mental Health Facility.....	\$5,735,236
Kansas Guardianship Program.....	\$567,239
Department of Education.....	\$17,658,919
State Library.....	\$1,680,631
Kansas State School for the Blind.....	\$4,837,208
Kansas State School for the Deaf.....	\$8,313,280
State Historical Society.....	\$5,105,485
Department of Corrections.....	\$26,464,382
El Dorado Correctional Facility.....	\$24,999,900
Ellsworth Correctional Facility.....	\$12,311,616
Hutchinson Correctional Facility.....	\$26,861,184
Lansing Correctional Facility.....	\$35,810,630
Larned Correctional Mental Health Facility.....	\$9,664,986
Larned Juvenile Correctional Facility.....	\$7,171,493
Kansas Juvenile Correctional Complex.....	\$12,907,873
Norton Correctional Facility.....	\$14,421,678
Topeka Correctional Facility.....	\$13,111,883
Winfield Correctional Facility.....	\$11,048,883
Adjutant General.....	\$25,305,890
State Fire Marshal.....	\$3,296,431
Kansas Highway Patrol.....	\$59,536,225
Attorney General – Kansas Bureau of Investigation.....	\$19,428,281
Emergency Medical Services Board.....	\$856,872
Kansas Sentencing Commission.....	\$722,666
Kansas Commission on Peace Officers' Standards and Training.....	\$404,709
Kansas Department of Agriculture.....	\$22,387,608
State Fair Board.....	\$1,793,195
Kansas Water Office.....	\$1,453,362
Kansas Department of Wildlife, Parks and Tourism.....	\$29,753,691
Department of Transportation.....	\$158,855,627

(b) During the fiscal year ending June 30, 2015, 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 2015 made in this or other appropriation act of the 2013 or 2014 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 2015 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. 201. (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, 2014, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2014 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 2014 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 30, 2014, which is chargeable to fiscal year 2014 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 2014, 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 2014.

Sec. 202. (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, 2015, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2015 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 2015 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 29, 2015, which is chargeable to fiscal year 2015 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 2015, 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 2015.

Sec. 203. No state agency named in this or any other appropriation act of the 2013 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, 2014 and 2015, for the purpose of expanding eligibility for receipt of benefits under title XIX of

the social security act, commonly known as medicaid, as provided for in the patient protection and affordable care act unless the legislature expressly consents to the expansion of medicaid services.

Sec. 204. (a) During the fiscal year ending June 30, 2014, no state agency named in chapter 175 of the 2012 Session Laws of Kansas or in this or other appropriation act of the 2013 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2014, from the state general fund or in any special revenue fund or funds for such state agency by chapter 175 of the 2012 Session Laws of Kansas or by this or other appropriation act of the 2013 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 motor vehicle being replaced has an unadjusted odometer reading of 120,000 miles or more for a passenger car or 140,000 miles or more for a truck; 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) Any state agency named in chapter 175 of the 2012 Session Laws of Kansas or in this or other appropriation act of the 2013 regular session of the legislature shall report on all vehicles requested to be replaced to the director of legislative research or such director's designee, including:

(1) Vehicle model;

(2) vehicle year;

(3) vehicle mileage;

(4) cost of replacement; and

(5) estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in chapter 175 of the 2012 Session Laws of Kansas or in this or other appropriation act of the 2013 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. 205. (a) During the fiscal year ending June 30, 2015, no state agency named in this or other appropriation act of the 2013 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2015, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2013 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 motor vehicle being replaced has an unadjusted odometer reading of 120,000 miles or more for a passenger car or 140,000 miles or more for a truck; 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) Any state agency named in this or other appropriation act of the 2013 regular session of the legislature shall report on all vehicles requested to be replaced to the director of legislative research or such director's designee, including:

- (1) Vehicle model;
- (2) vehicle year;
- (3) vehicle mileage;
- (4) cost of replacement; and
- (5) estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in this or other appropriation act of the 2013 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. 206. (a) During the fiscal year ending June 30, 2016, any state agency named in this or other appropriation act of the 2013 regular session of the legislature shall report on all passenger cars and trucks requested to be replaced to the director of legislative research or such director's designee, including:

- (1) Vehicle model;
- (2) vehicle year;
- (3) vehicle mileage;
- (4) cost of replacement; and
- (5) estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in this or other appropriation act of the 2013 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. 207. (a) During the fiscal year ending June 30, 2013, the superintendent for the schools for the deaf and the blind, 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 school for the deaf or the school for the blind to another item of appropriation for fiscal year 2013 from the state general fund for the school for the deaf or the school for the blind. The superintendent for the schools for the deaf and the blind 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.

(b) During the fiscal year ending June 30, 2014, the superintendent for the schools for the deaf and the blind, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2014 from the state general fund for the school for the deaf or the school for the blind to another item of appropriation for fiscal year 2014 from the state general fund for the school for the deaf or the school for the blind. The superintendent for the schools for the deaf and the blind 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.

(c) During the fiscal year ending June 30, 2015, the superintendent for the schools for the deaf and the blind, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2015 from the state general fund for the school for the deaf or the school for the blind to another item of appropriation for fiscal year 2015 from the state general fund for the school for the deaf or the school for the blind. The superintendent for the schools for the deaf and the blind 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. 208. (a) During fiscal year 2014 and fiscal year 2015, any state agency named in this or any other appropriation act of the 2013 or 2014 regular session of the legislature shall expend moneys appropriated from the state general fund or any special revenue fund or funds to allow all enrollees with intellectual or developmental disabilities using long-term services and supports providers to keep current providers on such enrollees' approved service plans, even if such providers are not in the network, for 180 days from January 1, 2014, or until a service plan is completed and either agreed upon by the enrollee or resolved through the appeals or a fair hearing process and implemented: *Provided*, That the enrollees using the intellectual or developmental disabilities residential providers shall be permitted to access such providers up to one year from January 1, 2014, regardless of contracting status: *Provided further*, That, during fiscal year 2014 and fiscal year 2015, the enrollees shall be permitted to keep such enrollees' targeted case managers as long as such targeted case managers are employed with the community developmental disability organizations or are employed through an organization that sub-contracts with community developmental disability organizations: *And provided further*, That the managed care organizations shall comply with the specific powers and duties of the community developmental disability organizations provided in Kansas statutes and rules and regulations: *And provided further*, That the managed care organizations shall contract with at least two providers serving each county for each covered long-term services and supports service in the benefit package for the enrollees with intellectual or developmental disabilities, unless the county has an insufficient number of providers licensed, certified or available to provide services in such county: *And provided further*, That the managed care organizations shall make at least three contract offers to all long-term services and supports providers to enrollees with intellectual or developmental disabilities at or above the state-set fee for service rate: *And provided further*, That the state shall conduct an educational tour to provide information for the intellectual or developmental disabilities enrollees and long-term services and supports providers during calendar year 2014: *And provided further*, That the state shall review the intellectual or developmental disabilities service planning process of each managed care organization by accompanying managed care organization employees on a portion of their appointments to observe and assist in service plan development during the first 180 days of calendar year 2014: *And provided further*, That, during fiscal year 2014 and fiscal year 2015, the state shall conduct training for each managed care organization to ensure that such managed care organization has an understanding of the Kansas developmental disabilities services system: *And provided further*, That the KanCare advisory council shall continue its function to provide the state with on-going insight

and recommendation on implementation of KanCare with periodic updates of membership to ensure adequate representation of individuals receiving the long-term services and supports as well as other eligibility groups.

(b) During fiscal year 2014 and fiscal year 2015, the Kansas department for aging and disability services may expend moneys appropriated from the state general fund or any special revenue fund or funds to review and approve all plans of care for individuals with intellectual or developmental disabilities using MR/DD waiver long-term services and supports for which a reduction, suspension or termination of such services is proposed: *Provided*, That the Kansas department for aging and disability services shall report to the legislature prior to the 2015 regular session on the number of reductions, suspensions and terminations of services for individuals with intellectual or developmental disabilities that were reviewed and the number of reductions, suspensions and terminations that were approved or denied by the agency.

Sec. 209. (a) On June 30, 2013, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year June 30, 2013, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this subsection. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 210.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....	\$153,737
<i>Provided</i> , That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Judicial center rehabilitation and repair.....	\$76,939
<i>Provided</i> , That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.	
Replace Docking chillers.....	\$23,200
National bio and agro-defense facility – debt service.....	\$6,054,305
Kansas department of transportation – CTP – debt service.....	\$16,148,425
Statehouse improvements – debt service.....	\$22,835,804
Capitol complex repair and rehabilitation.....	\$2,058,075

Restructuring debt service.....\$2,220,676

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$1,274,501

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

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 2014, expenditures may be made by the above agency from the building and ground fund for fiscal year 2014 from any unencumbered balance as of June 30, 2013, 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 2014 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2013: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2014 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 2014.

(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 2014, 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

2014 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 2014.

(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 2014, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014.

(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 2014, 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 2014 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 depreciation reserve fund for fiscal year 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000
 Sec. 211.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, 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, 2014, is hereby reappropriated for fiscal year 2015.

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, 2014, is hereby reappropriated for fiscal year 2015.

National bio and agro-defense facility – debt service.....\$6,056,874

Kansas department of transportation – CTP – debt service.....	\$16,146,050
Statehouse improvements – debt service.....	\$20,987,985
Capitol complex repair and rehabilitation.....	\$2,058,075
Restructuring debt service.....	\$3,545,851

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....	\$3,119,748
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(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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
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 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair.....	No limit
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(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 2015, expenditures may be made by the above agency from the building and ground fund for fiscal year 2015 from any unencumbered balance as of June 30, 2014, 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 2015 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2014: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2015 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 2015.

(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 2015,

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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015.

(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 2015, 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 2015 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 depreciation reserve fund for fiscal year 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Rehabilitation and repair.....\$75,000
- Sec. 212.

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 2014, 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 2014, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Debt service – 1430 Topeka facilities.....\$136,400
- Rehabilitation and repair.....No limit

(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 2014, 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 2014, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....No limit
Sec. 213.

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 2015, 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 2015, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....\$136,775
Rehabilitation and repair.....No limit

(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 2015, 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 2015, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....No limit
Sec. 214.

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, 2014, 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
Sec. 215.

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, 2015, 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
Sec. 216.

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, 2014, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$3,000,000

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2014 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 2014 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.

Debt service – new state security hospital	\$3,845,150
Debt service – state hospitals rehabilitation and repair.....	\$2,549,894
Larned state hospital – city of Larned wastewater treatment.....	\$129,620

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.

Parsons state hospital and training center – energy conservation improvement debt service.....	\$66,279
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Sec. 217.

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, 2015, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$3,000,000
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Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2015 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 2015 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.

Debt service – new state security hospital	\$3,845,150
Debt service – state hospitals rehabilitation and repair.....	\$2,549,894
Larned state hospital – city of Larned wastewater treatment.....	\$129,620

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.

Parsons state hospital and training center – energy conservation improvement debt service.....	\$48,894
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(b) The appropriation from the state institutions building fund to the renovations at larned mental health facility account for the fiscal year ending June 30, 2012, by section 35(g) of chapter 175 of the 2012 Session Laws of Kansas, reappropriated for the fiscal year ending June 30, 2013, by section 180 of chapter 175 of the 2012 Session Laws of Kansas, and reappropriated for the fiscal year ending June 30, 2014, by section 276(a), shall not lapse until the best service model for the rainbow mental health facility catchment area is determined.

Sec. 218.

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, 2014, 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 during fiscal year 2014 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 2014 as authorized by this or other appropriation act of the 2013 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2014 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to 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 2014 by this or other appropriation act of the 2013 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 2014, expenditures may be made by the above agency from the special employment security fund for fiscal year 2014 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 2014 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 2014.

Sec. 219.

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, 2015, 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 during fiscal year 2015 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 2015 as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2015 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to 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 2015 by this or other appropriation act of the 2013 or 2014 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 2015, expenditures may be made by the above agency from the special employment security fund for fiscal year 2015 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 2015 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 2015.

Sec. 220.

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, 2014, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$683,553
Veterans' home rehabilitation and repair projects.....	\$862,000

Sec. 221.

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, 2015, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$382,253
Veterans' home rehabilitation and repair projects.....	\$250,000

Sec. 222.

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, 2014, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$129,000
Security system upgrade project.....	\$116,023
Facilities conservation improvement debt service.....	\$35,134
Health center roof replacement.....	\$102,050
Maintenance building roof replacement.....	\$160,230

Sec. 223.

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, 2015, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$129,000
Security system upgrade project.....	\$116,023
Facilities conservation improvement debt service.....	\$35,134
Health center roof replacement.....	\$102,050
Maintenance building roof replacement.....	\$160,230

Sec. 224.

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, 2014, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$225,000
Roth building repairs.....	\$670,675
Facilities conservation improvement debt service.....	\$72,202

Sec. 225.

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, 2015, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$225,000
Roth building repairs.....	\$670,675
Facilities conservation improvement debt service.....	\$72,202

Sec. 226.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, 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, 2013, is hereby reappropriated for fiscal year 2014.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the historic preservation grants in aid fund for fiscal year 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the historic preservation grants in aid fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Red rocks historical site repair.....	\$34,757
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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 historic preservation grants in aid fund for fiscal year 2014.

(c) In addition to other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the highway planning/construction fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kaw mission rehabilitation.....	\$550,000
Historical society nature trail improvements.....	\$90,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway planning/construction fund for fiscal year 2014.

(d) 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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shawnee indian mission restoration.....	\$485,000
Cottonwood ranch stone wall repair.....	\$40,000

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 2014.

(e) 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 2014, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year 2014.

(f) 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 2014, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2014.

(g) 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 2014, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(h) 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 2014, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(i) 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 2014, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

Sec. 227.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Rehabilitation and repair projects.....\$250,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) 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 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shawnee indian mission restoration..... \$585,000

Hollenberg Station exterior siding preservation.....\$35,000

Mine Creek exterior cleaning.....\$30,000

Cottonwood ranch stone wall repair.....\$30,000

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 2015.

(c) 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 2015, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year

2015.

(d) 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 2015, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2015.

(e) 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 2015, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(f) 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 2015, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(g) 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 2015, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

Sec. 228.

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, 2014, 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

(b) During the fiscal year ending June 30, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

(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, 2013, or June 30, 2014, 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 2013 or fiscal year 2014 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

Sec. 229.

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, 2015, 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

(b) During the fiscal year ending June 30, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

(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, 2014, or June 30, 2015, 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 2014 or fiscal year 2015 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

Sec. 230.

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, 2014, 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
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, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

Sec. 231.

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, 2015, 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

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, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

Sec. 232.

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, 2014, 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
Deferred maintenance support fund.....	No limit
Snyder family stadium construction fund.....	No limit

(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified as follows:

College of architecture renovation fund.....	\$1,000,000
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(c) During the fiscal year ending June 30, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

(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 2013 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. 224 (food animal barn and shed).

(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 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 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 2014 or for fiscal year 2015 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 purpose of subsection (b) of K.S.A. 74-8405, 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 moneys 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 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 for 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 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 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 2014 or for fiscal year 2015 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 and renovate student housing at Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purpose of subsection (b) of K.S.A. 74-8405, 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 moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$45,000,000, 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 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 for any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the student housing.

(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 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 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 2014 or for fiscal year 2015 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 a school of business building at Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purpose of subsection (b) of K.S.A. 74-8405, 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 moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$50,000,000, 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 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 for any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the school of business building.

Sec. 233.

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, 2015, 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
Deferred maintenance support fund.....	No limit
Snyder family stadium construction fund.....	No limit

(b) During the fiscal year ending June 30, 2014, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

(c) 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 2014 or fiscal year 2015 as authorized by this or other appropriation act of the 2013 or 2014 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 2014 or fiscal year 2015 to raze building no. 224 (food animal barn and shed).

Sec. 234.

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, 2014, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2014 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. 235.

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, 2015, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2015 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. 236.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

- Armory/classroom/recreation center debt service.....\$322,799

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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
 Student health center – private gifts fund.....No limit

(c) During the fiscal year ending June 30, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

(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 fiscal year 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 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 fiscal year 2014 or for fiscal year 2015 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 at Pittsburg state university: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purpose of subsection (b) of K.S.A. 74-8405, 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 money 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, credit enhancement costs and any required reserves for payment of principal 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 for any appropriate special revenue fund or funds: *And provided further*; That Pittsburg state university may make provisions for the maintenance of the buildings.

Sec. 237.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, 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, 2015, 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
- Student health center – private gifts fund.....No limit

(c) During the fiscal year ending June 30, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

Sec. 238.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified as follows:

- School of pharmacy debt service.....\$1,632,674
- School of pharmacy debt service 2009.....\$2,493,226

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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 fundNo limit

- Regents center revenue fund – KDFA D bonds, 1990.....No limit
- Parking facilities surplus fund – KDFA G bonds, 1993.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2014 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

- Deferred maintenance support 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 2014 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, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or for fiscal year 2015 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 construction of the school of business building at the university of Kansas: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of subsection (b) of K.S.A. 74-8405, 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 university of Kansas 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 moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$66,000,000, 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 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 for any appropriate special revenue fund or funds: *And provided further*; That the university of Kansas may make provisions for the maintenance of the building.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or for fiscal year 2015 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 construction of the replacement for McCollum residence hall at the university of Kansas: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of subsection (b) of K.S.A. 74-8405, 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 university of Kansas 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 moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$49,000,000, 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 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 for any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas may make provisions for the maintenance of the building.

Sec. 239.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,631,240
School of pharmacy debt service 2009.....	\$2,493,677

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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 – KDFA D bonds, 1990.....	No limit
Parking facilities surplus fund – KDFA G bonds, 1993.....	No limit
<i>Provided</i> , That the university of Kansas may transfer moneys during fiscal year 2015 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.	
Deferred maintenance support 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 2015 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, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

Sec. 240.

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, 2014, 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
Construct parking facility #4 fund.....	No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2014 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified as follows:

Health education building fund.....	\$1,000,000
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(c) During the fiscal year ending June 30, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or fiscal year 2015 authorized by this or other appropriation act of the 2013 regular session of the legislature or by any appropriation act of the 2014 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 or for fiscal year 2015 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 construction of the health education building at the university of Kansas medical center: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purpose of subsection (b) of K.S.A. 74-8405, 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 university of Kansas medical center 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 moneys 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 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 for any appropriate special revenue fund or funds: *And provided further*; That the university of Kansas medical center may make provisions for the maintenance of the buildings.

Sec. 241.

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, 2015, 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
Construct parking facility #4 fund.....	No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2015 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, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

Sec. 242.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

Aviation research debt service.....	\$1,647,674
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(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2014, 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, 2014, 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 142(d) of chapter 175 of the 2012 Session Laws of Kansas or by any provision of this or other appropriation act of the 2013 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, 2012.

Sec. 243.

WICHITA 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, 2015, 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

(b) During the fiscal year ending June 30, 2015, 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 by any provision of this or other appropriation act of the 2013 or 2014 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, 2013.

Sec. 244.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following:

PEI infrastructure – debt service.....\$5,694,875

Provided, That, during the fiscal year ending June 30, 2014, 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 2014 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2014 after the principal payment has been received for fiscal year 2014 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 2014 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 2014 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 2014 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 2014 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 2014: *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, 2014, 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 K DFA
2008A revenue fundNo limit

Research bond debt services fund.....No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2014, 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, including planning and new construction, 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: *And provided however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2014.

Sec. 245.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

PEI infrastructure – debt service.....\$5,519,875

Provided, That, during the fiscal year ending June 30, 2015, 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 2015 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2015 after the principal payment has been received for fiscal year 2015 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 2015 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 2015 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 2015 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 2015 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 2015: *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, 2015, 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 KDFFA
 2008A revenue fundNo limit
 Research bond debt services fund.....No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2015, 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, including planning and new construction, 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: *And provided however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2015.

Sec. 246.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,037,000

Debt service payment for the reception and diagnostic unit relocation bond issue.....\$1,398,638

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2014, 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.....\$4,622,480

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2014 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 2014 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.....\$128,521

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities.....\$1,164,822

Provided, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2014 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 secretary of the department of corrections to be expended during fiscal year 2014 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department 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 the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility.....\$3,997,900

(d) In addition to the other purposes for which expenditures may be made by the department of corrections from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 as authorized by this or other appropriation act of the 2013 regular session of the legislature, expenditures may be made by the department of corrections from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2014 to raze building no. 175 (hog finishing house).

Sec. 247.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,043,850

Debt service payment for the reception and diagnostic unit relocation bond issue.....\$1,403,750

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2015, 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.....\$4,140,675

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2015 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 2015 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.....\$126,325

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile
correctional facilities.....\$993,727

Provided, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2015 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 secretary of the department of corrections to be expended during fiscal year 2015 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department 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 the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile
correctional facility.....\$3,998,825

Sec. 248.

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, 2014, 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, 2013, is hereby reappropriated for fiscal year 2014.

Sec. 249.

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, 2015, 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, 2014, is hereby reappropriated for fiscal year 2015.

Sec. 250.

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 2014, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$53,902

Roof replacement – Salina.....\$153,770

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 2014.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2014, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – vehicle inspection facility – Olathe.....\$63,000

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 2014.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2014, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....\$372,200

Scale replacement and rehabilitation and repair of buildings.....\$237,000

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 2014.

(d) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$609,200 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 2014 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 2014 for support and maintenance of the Kansas highway patrol.

Sec. 251.

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 2015, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$54,706

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 2015.

(b) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2015, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....\$366,819

Scale replacement and rehabilitation and repair of buildings.....\$243,000

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 2015.

(c) On July 1, 2014, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$609,819 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 2015 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 2015 for support and maintenance of the Kansas highway patrol.

Sec. 252.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$723,231
Debt service – armory/classroom/recreation center at PSU.....	\$117,988
Debt service – rehabilitation and repair of the statewide armories.....	\$2,776,052
Rehabilitation and repair projects.....	\$173,137

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.

Sec. 253.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$722,613
Debt service – armory/classroom/recreation center at PSU.....	\$115,188
Debt service – rehabilitation and repair of the statewide armories.....	\$2,741,373
Rehabilitation and repair projects.....	\$173,884

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Sec. 254.

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, 2014, 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, 2014, 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 state general fund for the fiscal year ending June 30, 2014, for the capital improvement project or projects specified, the following:

State fair bonded debt service.....\$510,000
Sec. 255.

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, 2015, 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, 2015, 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 state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

State fair bonded debt service.....\$535,000
Sec. 256.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2014, 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, 2013, is hereby reappropriated for fiscal year 2014.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2014, 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

(c) On July 1, 2013, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,235,885 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.

(d) On July 1, 2013, 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.

(e) 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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$560,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state agricultural production fund for fiscal year 2014.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects.....\$500,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the parks fee fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$10,400

River access.....\$100,000

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 2014.

(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 2014, expenditures may be made by the above agency from the boating fee fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development.....	\$100,000
Land acquisition.....	\$300,000
Federally mandated boating access	\$1,033,000
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 2014.

(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 2014, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2014.

(n) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation.....\$300,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2014.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2014, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....\$450,000

Public lands major maintenance.....\$60,000

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 2014.

(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 2014, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2014.

(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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$695,000

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 2014.

(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 2014, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *Provided further*, 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 2014 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 2014.

(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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$200,000

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 2014.

(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 2014, expenditures may be made by the above agency from the migratory

waterfowl propagation and protection fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2014.

(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 2014, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, 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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, 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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal

year 2014.

(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 2014, 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 2014 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$187,000

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 2014.

(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 2014, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(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 2014, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 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 2014.

(ff) 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 2014, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2014.

(gg) 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 2014, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2014.

(hh) 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 2014, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2014 from the unencumbered balance as of June 30, 2013, 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, 2013: *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 2014 and shall be in addition to any other expenditure limitation imposed on any such account of the disaster grants – public assistance for fiscal year 2014.

Sec. 257.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$7,150

Provided, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, 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

(c) On July 1, 2014, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$2,591,432 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.

(d) On July 1, 2014, 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.

(e) 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 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$563,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state agricultural production fund for fiscal year 2015.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects.....\$500,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the parks fee fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$11,050

River access.....\$100,000

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 2015.

(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 2015, expenditures may be made by the above agency from the boating fee fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development.....	\$100,000
Land acquisition.....	\$300,000
Federally mandated boating access	\$1,100,000
Public lands major maintenance.....	\$35,000
Debt service – Kansas City office.....	\$46,800

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 2015.

(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 2015, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such

account of the wildlife fee fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2015.

(n) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation.....\$300,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2015.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2015, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....\$400,000

Public lands major maintenance.....\$60,000

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 2015.

(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 2015, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2015

from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2015.

(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 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$140,000

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 2015.

(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 2015, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *Provided further*, 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 2015 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 2015.

(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 2015, 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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$200,000

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 2015.

(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 2015, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2015.

(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 2015, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, 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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, 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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal year 2015.

(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 2015,

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 2015 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$187,000

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 2015.

(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 2015, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(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 2015, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 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 2015.

(ff) 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 2015, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2015.

(gg) 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 2015, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2015.

(hh) 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 2015, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2015 from the unencumbered balance as of June 30, 2014, 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, 2014: *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 2015 and shall be in addition to any other expenditure limitation imposed on any such account of the disaster grants – public assistance for fiscal year 2015.

Sec. 258. (a) During the fiscal year ending June 30, 2014, in accordance with the provisions of K.S.A. 2012 Supp. 32-833, and amendments thereto, the secretary of wildlife, parks and tourism is hereby authorized to acquire by purchase the following tracts of land located in Jefferson county, Kansas, more particularly described as:

Tract 1: All of the North half of the South East Quarter, Section 10, Township 11 South, Range 19 East lying East of the center of County Road, EXCEPT a tract described as follows: Beginning at a point on the South line of the North half of the SouthEast Quarter, 935.65 feet more or less West of the South East corner of the North half of the South East Quarter, thence West along said South line 556.76 feet to center of County Road, thence North 12 degrees 02 minutes 23 seconds West 800 feet, thence North 90 degrees 00 minutes 00 seconds East 556.76 feet, thence South 12 degrees 02 minutes 23 seconds East 800 feet more or less to the point of beginning, containing 39.73 acres more or less and subject to any easement of record.

Tract 2: The Northeast Quarter (NE 1/4) of Section Ten (10), Township Eleven South (T11S), Range Nineteen East (R19E) of the 6th P.M., in Jefferson County, Kansas.

Tract 3: All that part of the South 1/2 of the Southeast 1/4 of Section 10, Township 11 South, Range 19 East of the 6th P.M., Jefferson County, Kansas, lying East of the County Road. Contains 50 acres, more or less.

Tract 4: A tract beginning at the Northeast corner of the South Half of the South Half of the Southwest Quarter (S ½ S ½ SW ¼) of Section Fifteen (15) Township Eleven (11) South, Range Nineteen (19) East of the 6th P.M., in Jefferson County, Kansas; thence South 00°23 '11" East a distance of 300.00 feet, said point being on the East line of the Southwest Quarter (SW ¼) of Section 15; thence South 50g06'43" West a

distance of 1353.10 feet; thence North $39^{\circ}46'11''$ West a distance of 161.21 feet; thence North $28^{\circ}11'59''$ East a distance of 1190.78 feet, said point being on the North line of the South Half ($S \frac{1}{2}$) of the South Half ($S \frac{1}{2}$) of the Southwest Quarter ($SW \frac{1}{4}$) of Section 15; thence South $89^{\circ}15'55''$ East a distance of 576.56 feet to the Point of Beginning, said tract also being a part of the North Half ($N \frac{1}{2}$) of the Northwest Quarter ($NW \frac{1}{4}$) of Section 22, Township 11 South, Range 19 East of the 6th P.M., Jefferson County, Kansas; also known as Tract 5 of Certificate of Survey re-plat in Jefferson County, Kansas, by Fred G. Roger., LS-64, on March 24, 1978, filed March 27, 1978, and recorded in Plat Book 2, Page 588, a replat of Plat Book 2, Page 575.

Tract 5: The South 120 acres of the Southeast Quarter ($SE \frac{1}{4}$) of Section Fifteen (15), Township Eleven (11) South, Range Nineteen (19) East of the 6th P.M., Jefferson County, Kansas, according to U.S. Government Survey thereof.

Tract 6: The South 60 acres of the Northeast Quarter ($NE \frac{1}{4}$), AND the North 40 acres of the Southeast Quarter ($SE \frac{1}{4}$), all in Section Fifteen (15), Township Eleven (11) South, Range Nineteen (19) East of the 6th P.M., Jefferson County, Kansas; EXCEPT all that part of the North 40 acres of the Southeast Quarter ($SE \frac{1}{4}$) of said Section Fifteen (15), lying West of the public highway, and EXCEPT all that part of the South 60 acres of the Northeast Quarter ($NE \frac{1}{4}$) of said Section Fifteen (15), lying West of the public highway.

Tract 7: The South Half ($S \frac{1}{2}$) of the Southwest Quarter of Section Fourteen (14); AND a tract beginning at the Southwest corner of the North Half ($N \frac{1}{2}$) of the Southwest Quarter ($SW \frac{1}{4}$) of Section Fourteen (14); thence running North 12 rods; thence running East 57 rods; thence running South 12 rods; thence running West 57 rods to the Point of Beginning, all in Township Eleven (11) South, Range Nineteen (19) East of the 6th P.M., Jefferson County, Kansas.

Tract 8: Beginning at the Southeast corner of the North Half of the Northwest Quarter ($N \frac{1}{2} NW \frac{1}{4}$) of Section Twenty-two (22), Township Eleven (11) South, Range Nineteen (19) East of the 6th P.M., Jefferson County, Kansas; thence North 89 degrees 35 minutes 05 seconds West a distance of 685.11 feet, said point being on the South line of the North Half of the Northwest Quarter of Section 22; thence North 00 degrees 24 minutes 55 seconds East a distance of 361.05 feet; thence North 32 degrees 19 minutes 25 seconds West a distance of 227.14 feet; thence North 49 degrees 07 minutes 07 seconds West a distance of 176.82 feet; thence North 76 degrees 48 minutes 44 seconds East a distance of 959.44 feet, said point being on the East line of the Northwest Quarter of Section 22; thence South 00 degrees 13 minutes 24 seconds West a distance of 892.59 feet to the point of beginning; also known as Tract 7 of Certificate of Survey re-Plat In Jefferson County, Kansas, prepared by Fred G. Rogers, LS-64, on March 24, 1978, filed March 27, 1978 and recorded in Plat Book 2, Page 588.

Tract 9: The Northwest Quarter ($NW \frac{1}{4}$) of Section 15; and the North 100 acres of the Northeast Quarter ($NE \frac{1}{4}$) of Section 15, all in Township 11 South, Range 19 East in Jefferson County, Kansas; and All that part of the North 40 acres of the Southeast Quarter ($SE \frac{1}{4}$) of Section 15, Township 11 South, Range 19 East, lying West of the public highway, in Jefferson County, Kansas; and All that part of the South 60 acres of the Northeast Quarter ($NE \frac{1}{4}$) of Section 15, Township 11 South, Range 19 East, lying West of the public highway, in Jefferson County, Kansas.

(b) Prior to payment for the purchase authorized by this section, the secretary of wildlife, parks and tourism shall determine that the requirements prescribed by K.S.A.

2012 Supp. 32-833, and amendments thereto, have been met.

(c) The provisions of K.S.A. 75-3043a and 75-3739, and amendments thereto, shall not apply to the acquisition authorized by this section or any contracts required therefor.

(d) In the event that the secretary of wildlife, parks and tourism determines that the legal description of the parcel described by this section is incorrect, the secretary of wildlife, parks and tourism may purchase the property utilizing the correct legal description.

Sec. 259.

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 2014, expenditures may be made by the above agency from the other state fees fund for fiscal year 2014 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 2014.

Sec. 260.

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 2015, expenditures may be made by the above agency from the other state fees fund for fiscal year 2015 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 2015.

Sec. 261. On July 1, 2013, K.S.A. 2012 Supp. 76-3,107 is hereby amended to read as follows: 76-3,107. (a) The university of Kansas is hereby authorized to initiate and complete a capital improvement project for the university of Kansas school of engineering expansion project phase II and such capital improvement project is hereby approved for the university of Kansas 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. The university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project, except that expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$65,000,000, 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. All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. Debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds of the university of Kansas.

(b) During the fiscal years ending June 30, 2014, and June 30, 2015, in addition to the provisions of subsection (a), the university of Kansas is hereby authorized to initiate and complete a capital improvement project for the university of Kansas school of engineering expansion project phase II and such capital improvement project is hereby approved for the university of Kansas 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. The university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project, except that expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,000,000, 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. All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. Debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds of the university of Kansas.

(c) The university of Kansas shall provide for the annual maintenance and operation costs for such school expansion.

Sec. 262. K.S.A. 2012 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:

(1) For the fiscal year ending June 30, 2013, notwithstanding the other provisions of this section, on March 1, 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~~ \$250,000 or the amount equal to 5% of the total gross receipts during fiscal year 2013 from state fair activities and non-fair days activities through March 1, 2013, except that, subject to approval by the director of the budget prior to March 1, 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, 2013, the state fair board may certify an amount on March 1, 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, 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 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;

(2) for the fiscal year ending June 30, 2014, notwithstanding the other provisions of this section, on March 1, 2014, 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 \$250,000 or the amount equal to 5% of the total gross receipts during fiscal year 2014 from state fair activities and non-fair days activities through March 1, 2014, except that, subject to approval by the director of the budget prior to March 1, 2014, 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, 2014, the state fair board may certify an amount on March 1, 2014, 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, 2014, 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 2014. 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; and

(3) for the fiscal year ending June 30, 2015, notwithstanding the other provisions of this section, on March 1, 2015, 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 \$250,000 or the amount equal to 5% of the total gross receipts during fiscal year 2015 from state fair activities and non-fair days activities through March 1, 2015, except that, subject to approval by the director of the budget prior to March 1, 2015, 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, 2015, the state fair board may certify an amount on March 1, 2015, 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, 2015, 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 2015. 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, except for the fiscal year ending June 30, 2014, the transfer shall not exceed \$250,000; 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, 2013, and the fiscal year ending June 30, 2015.

Sec. 263. On July 1, 2013, K.S.A. 2012 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. 2012 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) (1) On July 1, ~~2012~~ 2013, ~~on July 1, 2014,~~ and on July 1, ~~2013~~ 2015, 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. 2012 Supp. 74-8959, and amendments thereto. ~~Notwithstanding the provisions of K.S.A. 2012 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, ~~2014~~ 2016, and on July 1, ~~2015~~ 2017, 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. 2012 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. 2012 Supp. 74-8959, and amendments thereto.~~

(4) Notwithstanding the provisions of K.S.A. 2012 Supp. 74-8959, and amendments thereto, to the contrary, during fiscal year 2013, ~~except as provided in subsection (b)(1),~~ and fiscal year 2014, and fiscal year 2015, 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,~~ and January 12, 2015, 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. 264. On July 1, 2013, K.S.A. 2012 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 2012,~~ state fiscal year 2013 ~~or,~~ state fiscal year 2014, ~~or state fiscal year 2015;~~ and (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 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, ~~state fiscal year 2014,~~ and state fiscal year 2015, shall not exceed ~~\$600,000-~~ \$400,000 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, ~~state fiscal year 2014,~~ and state fiscal year 2015, in substantially equal amounts as determined by the director of accounts and reports.

Sec. 265. On July 1, 2013, K.S.A. 2012 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. 2012 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, 2013, ~~or June 30, 2014, June 30, 2015, or June 30, 2016.~~ 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. 266. K.S.A. 2012 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, and fiscal year 2015, 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. 2012 Supp. 74-50,224, and amendments thereto. During fiscal year 2013, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$10,000,000 for such fiscal year. During fiscal years 2014 and 2015 the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$7,500,000 for such fiscal year.

(c) Commencing July 1, ~~2014~~ 2015, 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. 2012 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. 2012 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. 267. On July 1, 2013, K.S.A. 2012 Supp. 74-8963 is hereby amended to read as follows: 74-8963. (a) For the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, which is hereby created in the state treasury and shall be administered by the department of administration in accordance with the provisions of this section and K.S.A. 2012 Supp. 74-8964 through 74-8967, and amendments thereto, in a total amount not to exceed \$105,000,000, 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, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop

and finance the project. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, 2015.

(b) On and after the effective date of this act, prior to the issuance of any bonds pursuant to this section, the capital improvement project described in subsection (a) shall be 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 shall be approved by the Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto, and, for all bonds issued on or after the effective date of this act, shall be 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, except that such approval also may be given when the legislature is in session. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, 2015.

(c) On and after July 1, 2013 through June 30, 2015, for the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, in a total amount not to exceed \$307,000,000, 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, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, facility construction and improvements, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project.

(d) On and after July 1, 2013 through June 30, 2015, prior to the issuance of any bonds pursuant to subsection (c):

(1) The capital improvement project described in subsection (c) shall be approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto; and

(2) the authorization of the issuance of bonds by the Kansas development finance authority shall be approved by the:

(A) Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto; and

(B) 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 when the legislature is in session. Prior to the approval of the issuance of such bonds, except for any bonds that the state finance council has already approved prior to

July 1, 2013, the state finance council shall have reviewed the signed contract from the United States department of homeland security for the construction of such capital improvement project and confirmed that such contract contains provisions that any additional costs or any change orders of such capital improvement project shall be paid by the United States department of homeland security and that construction will proceed in accordance with the provisions of such contract.

(e) The department of administration may only make expenditures from the moneys received from the issuance of any bonds pursuant to this section for those purposes set forth in subsection (a) for the capital improvement project.

(f) The debt service for any such bonds issued pursuant to this section shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(g) The date of maturity on bonds issued pursuant to this section shall not be fixed for a period of time which exceeds 20 years from the date of issuance.

(h) The proceeds from the sale of any bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the Kansas development finance authority to the department of administration to be applied to the payment of the costs of the capital improvement project authorized pursuant to this section as requested by the secretary of administration and by resolution of the Kansas development finance authority.

Sec. 268. K.S.A. 2012 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. 2012 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.

(1) Except as provided in subsection (d)(2), (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. 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 2013, fiscal year 2014 and fiscal year 2015, 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 state general fund 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, fiscal year 2014 and fiscal year 2015, 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, 2013, and June 30, 2014, June 30, 2015, and June 30, 2016~~, 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~~ 2013, 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~~ \$12,287,267 for such fiscal year.

(j) During the fiscal year ending June 30, 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 \$10,000,000 for such fiscal year.

Sec. 269. On July 1, 2013, K.S.A. 2012 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. 2012 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, 2013, ~~and June 30, 2014,~~ June 30, 2015, and June 30, 2016, 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. 270. On July 1, 2013, K.S.A. 2012 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2014,~~ and the fiscal year ending June 30, 2015, and shall not prescribe a

maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2011~~ 2013 or 2014 regular session of the legislature.

Sec. 271. On July 1, 2013, K.S.A. 2012 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. 2012 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, 2013, ~~and June 30, 2014,~~ June 30, 2015, and June 30, 2016, 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. 272. On July 1, 2013, K.S.A. 2012 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, 2013, ~~and June 30, 2014, June 30, 2015, and June 30, 2016,~~ 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. 273. On July 1, 2013, K.S.A. 2012 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. 2012 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. 2012

Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013, ~~June 30, 2014, June 30, 2015, and June 30, 2016~~, 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. 2012 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 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. 274. On July 1, 2013, K.S.A. 2012 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 amendments~~ 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, 2012, and 2013, 2014, and 2015~~, and (2) the amount of the transfer on each such date shall be ~~\$13,500,000 during fiscal year 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, 2016~~ 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.

Sec. 275. On July 1, 2013, K.S.A. 2012 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 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 2013-~~and~~, 2014, 2015 and 2016. 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. 276. On July 1, 2013, K.S.A. 2012 Supp. 79-3425i 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 K.S.A. 2012 Supp. 8-143m, 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 2013-~~or~~, state fiscal year 2014, state fiscal year 2015, or state fiscal year 2016; (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. 277. On July 1, 2013, K.S.A. 2012 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. On July 1, ~~2007~~ 2015, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state ~~economic development initiatives~~ highway fund to the Kansas qualified biodiesel fuel producer incentive fund; ~~except: (a) That, during the fiscal year ending June 30, 2013, on July 1, 2012, October 1, 2012, and January 1, 2013, and April 1, 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, 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, 2013. If sufficient moneys are not available in the state economic development initiatives highway fund for such transfer on July 1, ~~2013~~ 2015, 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 highway~~ 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, 2012, or the fiscal year ending June 30, 2013.~~

Sec. 278. On July 1, 2013, K.S.A. 2012 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 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, 2013, ~~or June 30, 2014, June 30, 2015, or June 30, 2016.~~ 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. 2012 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. 2012 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 279. K.S.A. 2012 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, 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 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) 12.41% 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. Any revenue collected or received from the tax imposed by this act during fiscal year 2013 shall be credited as provided in this section as in existence on the effective date of this act. On and after July 1, 2013, through June 30, 2014, the state treasurer shall credit the remainder of such amounts for oil and gas for any county which 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) 6% to the oil and gas valuation depletion trust fund; and (3) the remainder shall be credited to the state general fund. On and after July 1, 2014, through June 30, 2015, the state treasurer shall credit the remainder of such amounts for oil and gas for any county which 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) 8% to the oil and gas valuation depletion trust fund; and (3) the remainder shall be credited to the state general fund.~~

(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. 280. On July 1, 2013, K.S.A. 2012 Supp. 79-4804 is hereby amended to read as follows: (a) After the transfer of moneys pursuant to K.S.A. 2012 Supp. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than $\frac{1}{2}$ of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund which are created by this section.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds which shall be used for economic development activities in Kansas, including but not limited to continuing appropriations or demand transfers for programs and projects which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government

guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) In each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 which in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, except that ~~the aggregate amount of the transfers no moneys shall be transferred from the state economic development initiatives fund to the state water plan fund~~ on such dates during state fiscal year ~~2004 shall not exceed \$1,900,000~~ 2014 or state fiscal year 2015. No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance, which meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 281. On July 1, 2013, K.S.A. 2012 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 no moneys shall be transferred from the state general fund to the state water plan fund during the ~~fiscal year~~ years ending June 30, 2013, June 30, 2014, and June 30, 2015.

Sec. 282. K.S.A. 2012 Supp. 2-223, 74-50,107, 74-99b34 and 79-4227 are hereby repealed.

Sec. 283. On July 1, 2013, K.S.A. 2012 Supp. 12-5256, 55-193, 72-8814, 74-8963, 75-2319, 75-6702, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a are hereby repealed.

Sec. 284. *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 this 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. 285. *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. 286. *Savings.* (a) Any unencumbered balance as of June 30, 2013, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2014 by this or any other appropriation act of the 2013 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2014, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2014, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2014 by this act or any other appropriation act of the 2013 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2015, 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. 287. (a) During the fiscal year ending June 30, 2014, 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 2013 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2014, 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.

(b) During the fiscal year ending June 30, 2015, 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 2013 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2015, 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.

(c) 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. 288. *Federal grants.* (a) During the fiscal year ending June 30, 2014, 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 for fiscal year 2014 by this or other appropriation act of the 2013 regular session of the legislature, is hereby appropriated for fiscal year 2014, 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, 2015, 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 for fiscal year 2015 by this or other appropriation act of the 2013 regular session of the legislature, is hereby appropriated for fiscal year 2015 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 2015, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2015.

(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 2014 and fiscal year 2015 or by this act or any other appropriation act of the 2013 regular session of the legislature to apply for and receive federal grants during fiscal year 2014 and fiscal year 2015, 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. 289. (a) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2013 regular session of the legislature, and having an unencumbered balance as of June 30, 2013, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2014, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2012.

(b) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2013 regular session of the legislature, and having an unencumbered balance as of June 30, 2014, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2015, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2013.

Sec. 290. (a) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2013 regular session of the legislature and having an unencumbered balance as of June 30, 2013, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2014, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2012.

(b) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2013 regular session of the legislature and having an unencumbered balance as of June 30, 2014, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2015, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2013.

Sec. 291. (a) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2013 regular session of the legislature and having an unencumbered balance as of June 30, 2013, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2014, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2012.

(b) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2013 regular session of the legislature and having an unencumbered balance as of June 30, 2014, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2015, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection 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, 2013.

Sec. 292. (a) Any transfers of money during the fiscal year ending June 30, 2014, 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, 2014.

(b) Any transfers of money during the fiscal year ending June 30, 2015, 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, 2015.

Sec. 293. 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 after "ACT": by striking all in lines 2 and 3 and inserting "making and concerning appropriations for fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, 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. 2012 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-8963, 74-99b34, 75-2319, 75-6702, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4227, 79-4804 and 82a-953a and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

GENE SUELLENTROP

Conferees on part of House

TY MASTERSON

JIM DENNING

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **SB 171** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 63; Nays 51; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, O'Brien, Osterman, Peck, Powell, Proehl, Read, Rhoades, Rothlisberg, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bideau, Boldra, Bollier, Burroughs, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Edmonds, Finch, Finney, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Houston, Jennings, Jones, Kelly, Kuether, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Petty, Phillips, Rooker, Rubin, Ruiz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Campbell, Concannon, Frownfelter, Kahrs, Lane, Montgomery, Sawyer, Wilson, Wolfe Moore.

EXPLANATIONS OF VOTE

MR. SPEAKER: I have been a strong advocate and leader for the construction of NBAF, and played an integral role in working with Homeland Security to select Manhattan as the preferred site. I remain committed to funding NBAF and fully support the issuance of additional state bonding. Unfortunately, I cannot support a budget with cuts to the Board of Regents that jeopardizes the core mission of Kansas State University and higher education across the state. So it is with much regret that I vote no against **SB 171**. – TOM PHILLIPS

MR. SPEAKER: I vote NO on **SB 171**-motion to adopt CCR.

1. **SB 171** does not contain a proviso to carve-out Intellectual and Developmental Disabled from KanCare.
2. The funds cut from Department of Corrections are far too severe and detrimentally affects public safety in the state of Kansas.
3. **SB 171** sweeps \$9.5 million from Kansas Endowment for Youth Fund. – STEVEN R. BECKER

MR. SPEAKER: Manhattan has worked for the NBAF for the past several years. I carried legislation for the first \$105 million in the House in 2009 for the Central Utility

Plant construction. I could support NBAF again in its own legislation. But this budget fails our Regents Universities, our K-12 education system, the Judicial Branch, Public Safety, Mental Health, the elderly, early childhood, and borrows from our highway department again. I vote no on **SB 171**. – SYDNEY CARLIN

MR. SPEAKER: I cannot support a bill that penalizes our two community colleges that give the jobless hope for retraining, takes money away from controlling dangerous criminals, fails our disabled community, Tri-Valley clients and parents, harms KSU extension service and 4-H, transfers 300 million from KDOT for other spending hurting our two cement plants, ignores the underfunding of school equalization, takes money from early childhood programs and gives us no vote on Medicaid expansion that our two hospitals say is so vital to them. I vote No on **SB 171** because we can do better. – ED BIDEAU

CHANGE OF CONFEREES

Speaker Merrick announced the appointment of Reps. Kinzer, Bruchman and Pauls as members of the conference committee on **HB 2049** to replace Reps. Schwartz, Hoffman and Victors.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2216**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2059**, and has appointed Senators Tyson, Bruce and Holland as second conferees on the part of the House.

Announcing passage of **HB 2391**, as amended by **S Sub for HB 2391**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2059** 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.

CARYN TYSON

TERRY BRUCE

Conferees on part of Senate

RICHARD CARLSON

SCOTT SCHWAB

Conferees on part of House

On motion of Rep. Carlson, the conference committee report was adopted.

Speaker Merrick thereupon appointed Reps. Carlson, Schwab and Menghini as

second conferees on the part of the House.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

On motion of Rep. Vickrey, the House recessed until 8:00 p.m.

EVENING SESSION

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2049**, and has appointed Senators King, Smith and Haley as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, 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 2059; S Sub for HB 2391; HB 2049**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2049** 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.

JEFF KING

GREG SMITH

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report was adopted.

Speaker pro tem Mast thereupon appointed Reps. Kinzer, Bruchman and Pauls as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer to nonconcur in Senate amendments to **S Sub for HB 2391**, Rep. Kelley offered a substitute motion to concur in Senate amendments to **S Sub for HB 2391**, AN ACT concerning education; creating the joint committee on uniform

educational standards oversight; amending K.S.A. 2012 Supp. 72-6439 and 72-7535 and repealing the existing sections.

The motion of Rep. Kelley did not prevail and the bill is killed.

On roll call, the vote was: Yeas 55; Nays 58; Present but not voting: 0; Absent or not voting: 12.

Yeas: Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Claeys, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kelley, Kinzer, Kleebe, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Schwab, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey.

Nays: Alcalá, Alford, Ballard, Becker, Bideau, Boldra, Bollier, Burroughs, Carlin, Cassidy, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Ewy, Finch, Finney, Gonzalez, Grant, Henry, Hibbard, Hill, Hineman, Jennings, Johnson, Kelly, Kuether, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Petty, Phillips, Proehl, Rooker, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Bruchman, Frownfelter, Henderson, Houston, Kahrs, Lane, Montgomery, Peterson, Wilson, Wolfe Moore.

EXPLANATIONS OF VOTE

MR. SPEAKER: I voted no on **S Sub for HB 2391** for my school districts that won the Governor's Award for Excellence. I believe if they are in the top 5% of the schools in Kansas they are doing it right and I want them to keep doing it. – JOE SEIWERT

MR. SPEAKER: We owe it to our schools, citizens, and the children of Kansas to make sure Common Core will help us provide our kids with a great education. Slowing down to ensure that the program achieves our educational goals is a rational move forward. We vote yes on the motion to concur on **S Sub for HB 2391** – JAMES TODD, AMANDA GROSSERODE, J. R. CLAEYS, CRAIG MCPHERSON, KELLY MEIGS, DANIEL HAWKINS, KEITH ESAU

On motion of Rep. Vickrey, the House recessed until 10:45 p.m.

NIGHT SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2059**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2059** 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 11 through 32;

By striking all on pages 2 through 19;

On page 20, by striking all in lines 1 through 19; in line 39, by striking "years 2014 and 2015" and inserting "year 2014"; in line 41 by striking "2.5%" and inserting "2.7%"; in line 42, by striking "\$750" and inserting "\$810"; also in line 42, by striking "4.9%" and inserting "4.8%";

On page 21, in line 1, by striking "2016" and inserting "2015"; in line 3, by striking "1.9%" and inserting "2.7%"; in line 4, by striking "\$570" and inserting "\$810"; also in line 4, by striking "4.9%" and inserting "4.6%"; in line 6, by striking "2017, and all tax years thereafter" and inserting "2016"; in line 8, by striking "1.9%" and inserting "2.4%"; in line 9, by striking "\$570" and inserting "\$720"; also in line 9, by striking "3.5%" and inserting "4.6%"; following line 10, by inserting:

"(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 4.6% of excess over \$30,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.3% of Kansas taxable income
Over \$30,000.....	\$690 plus 3.9% of excess over \$30,000";

Also on page 21, in line 25, by striking "years 2014 and 2015" and inserting "year 2014"; in line 27, by striking "2.5%" and inserting "2.7%"; in line 28, by striking "\$375" and inserting "\$405"; also in line 28, by striking "4.9%" and inserting "4.8%"; in line 30, by striking "2016" and inserting "2015"; in line 32, by striking "1.9%" and inserting "2.7%"; in line 33, by striking "\$285" and inserting "\$405"; also in line 33, by striking "4.9%" and inserting "4.6%"; in line 35, by striking "2017, and all tax years thereafter" and inserting "2016"; in line 37, by striking "1.9%" and inserting "2.4%"; in line 38, by striking "\$285" and inserting "\$360"; also in line 38, by striking "3.5%" and inserting "4.6%"; following line 39, by inserting:

"(F) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus 4.6% of excess over \$15,000

(G) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.3% of Kansas taxable income
Over \$15,000.....	\$345 plus 3.9% of excess over \$15,000";

On page 22, following line 19, by inserting "(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of section 6, and amendments thereto."; in line 20, before "July" by inserting "On"; in line 21, before "If" by inserting "(1)"; in line 25, following "deduction." by inserting:

"(2) For the tax year commencing on January 1, 2013,";

Also on page 22, also in line 25, following "means" by inserting "70% of"; following line 29, by inserting:

"(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax year commencing on January 1, 2015, the Kansas itemized deduction of an individual means 60% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(6) For tax years commencing on and after January 1, 2017, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.";

Also on page 22, by striking all in line 40;

On page 23, by striking all in lines 10 through 36; in line 37, by striking "(e)" and inserting "(c)"; in line 42, by striking "(f)" and inserting "(d)";

On page 24, in line 9, by striking "6.3%" and inserting "6.15%";

On page 29, in line 25, by striking "6.3%" and inserting "6.15%";

On page 31, in line 5, by striking "16.67%" and inserting "17.073%"; in line 7, by striking "6.3%" and inserting "6.15%";

On page 32, by striking all in lines 14 through 43;

On page 33, by striking all in lines 1 through 36; following line 36, by inserting:

"New Sec. 6. (a) (1) Except as provided in subsection (a)(2), commencing with fiscal year 2018, in any fiscal year in which the amount of selected actual state general fund receipts from such fiscal year exceeds the selected actual state general fund receipts for the immediately preceding fiscal year by more than 2%, the director of

legislative research shall certify such excess amount to the secretary of revenue and the director of the budget. Upon receipt of such certified amount, the secretary shall compute the excess percentage increase in selected actual state general fund receipts above 2%. Based on such excess percentage of calculated receipt growth, the secretary shall compute the income tax rate reductions to go into effect for the next tax year that would reduce by such certified amount the tax rates during the fiscal year after the next fiscal year according to the provisions of this section, as follows: (A) Rate reductions for individual income tax rates shall be applied to reduce the highest marginal income tax rate applicable to the current tax year, by such excess percentage minus 0.5%, and the lowest marginal income tax rate applicable to the current tax year by such excess percentage plus 0.5%, except that in no case shall such excess percentage plus 0.5% result in an income tax rate increase. In any such computation by the secretary pursuant to this subsection: (i) The resulting income tax rate shall be rounded down to the nearest 0.1%; and (ii) in any case in which the income tax rate for any individual marginal income tax rate is below 0.4%, such rate shall be 0%. Based on all such determinations, the secretary shall reduce individual income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section;

(B) upon all individual marginal income tax rates being reduced to 0% pursuant to the provisions of subsection (a)(1)(A), rate reduction next shall be applied for the surtax on corporations applicable to the current tax year by such excess percentage. In any such computation by the secretary pursuant to this subsection in which the surtax is below 0.4%, such surtax rate shall be 0%. Based on such determination, the secretary shall reduce the surtax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section; and

(C) upon the surtax on corporations being reduced to a rate which when combined with the normal tax rate on corporations is equal to or below the combined surtax and normal tax imposed on national banking associations and state banks or is equal to or below the combined surtax and normal tax imposed on trust companies and savings and loan associations, rate reductions shall be proportionately applied for the tax on corporations, the tax on national banking associations and state banks, and the tax on trust companies and savings and loan associations. Such rate reductions shall be first applied to the surtax until reduced to 0% and then applied to the normal tax for each such tax. In any such computation by the secretary pursuant to this subsection in which any such tax is below 0.4%, such tax rate shall be 0%. Based on such determination, the secretary shall reduce the surtax and the normal tax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, the surtax and normal tax on national banking associations and state banks prescribed by K.S.A. 79-1107, and amendments thereto, and the surtax and normal tax on trust companies and savings and loan associations prescribed by K.S.A. 79-1108, and amendments thereto, as required by this section.

(2) In any fiscal year in which the amount of selected actual state general fund receipts for such fiscal year are 102% or less than the selected actual state general fund receipts from the immediately preceding fiscal year, the director of legislative research shall certify such amount and fact to the secretary of revenue and the director of the budget. Upon receipt of such amount and fact, the secretary of revenue shall not make any adjustment to the income tax rates for that tax year.

(b) The secretary of revenue shall report any reduction in income tax rates

prescribed by this section to the chairperson of the assessment and taxation committee of the senate, the chairperson of the taxation committee of the house of representatives and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) As used in this section, "selected actual state general fund receipts" means receipts from the following taxes and fees: Individual and corporation income taxes imposed under K.S.A. 79-32,110, and amendments thereto, financial institutions privilege taxes imposed under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, retail sales taxes imposed under K.S.A. 79-3601 et seq., and amendments thereto, compensating use taxes imposed under K.S.A. 79-3701 et seq., and amendments thereto, cigarette and tobacco product taxes imposed under K.S.A. 79-3301 et seq., and amendments thereto, cereal malt beverage and liquor gallonage taxes imposed under K.S.A. 41-501 et seq., and amendments thereto, liquor enforcement taxes imposed under K.S.A. 79-4101 et seq., and amendments thereto, liquor drink taxes imposed under K.S.A. 79-41a01 et seq., and amendments thereto, corporation franchise taxes imposed under K.S.A. 79-5401, and amendments thereto, annual franchise fees charged pursuant to law and mineral severance taxes imposed under K.S.A. 79-4216 et seq., and amendments thereto.

New Sec. 7. (a) For any taxable year commencing after December 31, 2012, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of domicile, age and disability.

(2) A claim alleging disability shall be supported by a report of the examining

physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) "Disability" means: (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this paragraph, with respect to any individual, "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; and "physical or mental impairment" means an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this paragraph "blindness" means central visual acuity of $\frac{20}{200}$ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of $\frac{20}{200}$ or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.

New Sec. 8. (a) As used in this section:

(1) "Destroyed or substantially destroyed" means damage of any origin sustained by a homestead as the direct result of an earthquake, flood, tornado, fire, storm or other event or occurrence which the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(2) "Homestead" means the dwelling, or any part thereof, whether owned or rented, which is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(3) "Public or private buyout" means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.

(b) The owner of any homestead listed and assessed for property taxation purposes which was destroyed or substantially destroyed due to an earthquake, flood, tornado,

fire, storm, or other event or occurrence which the governor of the state of Kansas has declared a disaster may make application to the board of county commissioners of the county in which such property is located for the abatement of property taxes levied upon such homestead or for a credit against property taxes payable by such owner, as permitted by this section.

(1) If such homestead has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead may make application to such board of county commissioners for the abatement of property taxes levied upon such homestead, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(2) If such homestead has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such homestead may make application to such board of county commissioners for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(c) An application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or before December 20 of the year next succeeding the year for which such taxes have been assessed.

(d) Upon receipt of any such application, subject to budgetary restraints of the county or taxing subdivision arising from the event or occurrence declared a disaster by the governor, the board of county commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead, as defined in subsection (a), whether the homestead was destroyed or substantially destroyed, as defined in subsection (a) and the assessed valuation thereof. If it is determined that an owner of such homestead is entitled to an abatement of all or any portion of the property taxes levied against such homestead or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the board may issue an order so providing.

(e) The board shall not grant an application for relief by an owner who is a recipient of funds from either a public or private buyout or insurance proceeds, which, as the case may be, are of an amount equal to or greater than 50% of the entire pre-disaster value of the homestead which was destroyed or substantially destroyed.

(f) The county clerk and county treasurer shall in each case of abatement or credit correct their records in accordance therewith and the county clerk shall notify the governing body of any taxing district affected thereby.

(g) The provisions of this section shall be applicable to all taxable years commencing after December 31, 2011, and ending before January 1, 2014.

Sec. 9. K.S.A. 2012 Supp. 74-50,222 is hereby amended to read as follows: 74-50,222. As used in K.S.A. 74-50,222, 74-50,223 and 79-32,267, and amendments thereto:

(a) "Institution of higher education" means a public or private nonprofit educational institution that meets the requirements of participation in programs under the higher education act of 1965, as amended, 34 C.F.R. § 600;

(b) "rural opportunity zone" means Allen, Anderson, Barber, Bourbon, Brown, Chase, Chautauqua, Cheyenne, Clark, Clay, Cloud, Coffey, Comanche, Decatur, Doniphan, Edwards, Elk, Ellsworth, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Haskell, Hodgeman, Jackson, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Linn, Logan, Marion, Marshall, Meade, Mitchell, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Republic, Rice, Rooks, Rush, Russell, Scott, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Trego, Thomas, Wabaunsee, Wallace, Washington, Wichita, Wilson or Woodson counties;

(c) "secretary" means the secretary of commerce; and

(d) "student loan" means a federal student loan program supported by the federal government and a nonfederal loan issued by a lender such as a bank, savings and loan or credit union to help students and parents pay school expenses for attendance at an institution of higher education.

Sec. 10. On July 1, 2013, K.S.A. 2012 Supp. 79-201a, as amended by section 1 of 2013 House Bill No. 2135, is hereby amended to read as follows: 79-201a. The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

Second. All property used exclusively by the state or any municipality or political subdivision of the state. All property owned, being acquired pursuant to a lease-purchase agreement or operated by the state or any municipality or political subdivision of the state, including property which is vacant or lying dormant, which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered to be used exclusively by the state, municipality or political subdivision for the purposes of this section. The lease by a municipality or political subdivision of the state of any real property owned or being acquired pursuant to a lease-purchase agreement for the purpose of providing office space necessary for the performance of medical services by a person licensed to practice medicine and surgery or osteopathic medicine by the board of healing arts pursuant to K.S.A. 65-2801 et seq., and amendments thereto, dentistry services by a person licensed by the Kansas dental board pursuant to K.S.A. 65-1401 et seq., and amendments thereto, optometry services by a person licensed by the board of examiners in optometry pursuant to K.S.A. 65-1501 et seq., and amendments thereto, or K.S.A. 74-1501 et seq., and amendments thereto, podiatry services by a person licensed by the board of healing arts pursuant to K.S.A. 65-2001 et seq., and amendments thereto, or the practice of psychology by a person licensed by the behavioral sciences regulatory board pursuant to K.S.A. 74-5301 et seq., and amendments thereto, shall be construed to be a governmental function, and such property actually and regularly used for such purpose shall be deemed to be used exclusively for the purposes of this paragraph. The lease by a municipality or political subdivision of the state of any real property, or portion thereof, owned or being acquired pursuant to a lease-purchase agreement to any entity for the exclusive use by it for an exempt purpose, including the purpose of displaying or exhibiting personal property by a museum or historical society, if no portion of the lease payments include compensation for return on the investment in such leased property shall be deemed to be used exclusively for the purposes of this

paragraph. All property leased, other than motor vehicles leased for a period of at least one year and property being acquired pursuant to a lease-purchase agreement, to the state or any municipality or political subdivision of the state by any private entity shall not be considered to be used exclusively by the state or any municipality or political subdivision of the state for the purposes of this section except that the provisions of this sentence shall not apply to any such property subject to lease on the effective date of this act until the term of such lease expires but property taxes levied upon any such property prior to tax year 1989, shall not be abated or refunded. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 through 12-1749, and amendments thereto, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, and amendments thereto, or with proceeds of bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, and amendments thereto, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 to 13-1245, inclusive, and amendments thereto, or any property improved, reimproved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 to 13-1245, inclusive, and amendments thereto, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 to 13-1245, inclusive, and amendments thereto, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 et seq., and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, and used in any retail

enterprise identified under NAICS sectors 44 and 45, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "NAICS" means the North American industry classification system, as developed under the authority of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 et seq., and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 et seq., and amendments thereto, shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation.

Third. All works, machinery and fixtures used exclusively by any rural water district or township water district for conveying or production of potable water in such rural water district or township water district, and all works, machinery and fixtures used exclusively by any entity which performed the functions of a rural water district on and after January 1, 1990, and the works, machinery and equipment of which were exempted hereunder on March 13, 1995.

Fourth. All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

Fifth. All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 et seq., and amendments thereto.

Sixth. Property acquired and held by any municipality under the municipal housing law, K.S.A. 17-2337 et seq., and amendments thereto, except that such exemption shall not apply to any portion of the project used by a nondwelling facility for profit making enterprise.

Seventh. All property of a municipality, acquired or held under and for the purposes of the urban renewal law, K.S.A. 17-4742 et seq., and amendments thereto, except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

Eighth. All property acquired and held by the Kansas armory board for armory

purposes under the provisions of K.S.A. 48-317, and amendments thereto.

Ninth. All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 et seq., and amendments thereto, K.S.A. 68-2030 et seq., and amendments thereto, K.S.A. 68-2051 et seq., and amendments thereto, and K.S.A. 68-2070 et seq., and amendments thereto.

Tenth. All property acquired and used for state park purposes by the Kansas department of wildlife, parks and tourism.

Eleventh. The state office building constructed under authority of K.S.A. 75-3607 et seq., and amendments thereto, and the site upon which such building is located.

Twelfth. All buildings erected under the authority of K.S.A. 76-6a01 et seq., and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other nonprofit corporation.

Thirteenth. All buildings, as the same is defined in subsection (c) of K.S.A. 76-6a13, and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 et seq., and amendments thereto, and building sites acquired therefor.

Fourteenth. All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter located within the territory of the state of Kansas pursuant to the compact and agreement adopted by K.S.A. 79-205, and amendments thereto.

Fifteenth. All property, real and personal, owned by a groundwater management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

Sixteenth. All property, real and personal, owned by the joint water district organized and operating pursuant to K.S.A. 80-1616 et seq., and amendments thereto.

Seventeenth. All property, including interests less than fee ownership, acquired for the state of Kansas by the secretary of transportation or a predecessor in interest which is used in the administration, construction, maintenance or operation of the state system of highways, regardless of how or when acquired.

Eighteenth. Any building used primarily as an industrial training center for academic or vocational education programs designed for and operated under contract with private industry, and located upon a site owned, leased or being acquired by or for an area vocational school, an area vocational-technical school, a technical college, or a community college, as defined by K.S.A. 72-4412, and amendments thereto, and the site upon which any such building is located.

Nineteenth. For all taxable years commencing after December 31, 1997, all buildings of an area vocational school, an area vocational-technical school, a technical college or a community college, as defined by K.S.A. 72-4412, and amendments thereto, which are owned and operated by any such school or college as a student union or dormitory and the site upon which any such building is located.

Twentieth. For all taxable years commencing after December 31, 1997, all personal property which is contained within a dormitory that is exempt from property taxation and which is necessary for the accommodation of the students residing therein.

Twenty-First. All real property from and after the date of its transfer by the city of Olathe, Kansas, to the Kansas state university foundation, all buildings and improvements thereafter erected and located on such property, and all tangible personal property, which is held, used or operated for educational and research purposes at the Kansas state university Olathe innovation campus located in the city of Olathe, Kansas.

Twenty-Second. All real property, and all tangible personal property, owned by postsecondary educational institutions, as that term is defined in K.S.A. 74-3201b, and amendments thereto, or by the board of regents on behalf of the postsecondary educational institutions, which is leased by a for profit company and is actually and regularly used exclusively for research and development purposes so long as any rental income received by such postsecondary educational institution or the board of regents from such a company is used exclusively for educational or scientific purposes. Any such lease or occupancy described in this section shall be for a term of no more than five years.

Twenty-Third. For all taxable years commencing after December 31, 2005, any and all housing developments and related improvements located on United States department of defense military installations in the state of Kansas, which are developed pursuant to the military housing privatization initiative, 10 U.S.C. § 2871 et seq., or any successor thereto, and which are provided exclusively or primarily for use by military personnel of the United States and their families.

Twenty-Fourth. For all taxable years commencing after December 31, 2012, except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 2013, under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 et seq., and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, and used in any retail enterprise identified under NAICS sectors 44 and 45, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "NAICS" means the North American industry classification system, as developed under the authority of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 et seq., and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 et seq., and amendments thereto, shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved,

equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation.

Except as otherwise specifically provided, the provisions of this section shall apply to all taxable years commencing after December 31, 2010.

Sec. 11. On July 1, 2013, K.S.A. 2012 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code. For tax year 1998 through tax year 2012, the standard deduction amount shall be as follows: Single individual filing status, \$3,000; married filing status, \$6,000; and head of household filing status, \$4,500. For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700. For tax year 2013, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, ~~\$9,000~~ \$7,500; and head of household filing status, ~~\$9,000~~ \$5,500. For purposes of the foregoing, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 12. On July 1, 2013, K.S.A. 2012 Supp. 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes 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, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such 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. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or received from

the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund, ~~as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013.~~

(8) On July 1, 2013, and thereafter, the state treasurer shall credit ~~18.421%~~ 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of ~~5.7%~~ 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2012 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under subsection (d) of K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or

received from the tax imposed by subsection (c) of K.S.A. 79-3603, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to subsection (e) of K.S.A. 79-3710, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by subsection (oo) of K.S.A. 12-1770a, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 13. K.S.A. 2012 Supp. 79-4216 is hereby amended to read as follows: 79-4216. As used in this act, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them herein:

(a) "Barrel" for oil measurement means a barrel of 42 U.S. gallons of 231 cubic inches per gallon, computed at a temperature of 60 degrees Fahrenheit.

(b) "Director" means the director of taxation.

(c) "Gas" means natural gas, and all other raw, unrefined gas or gases, all constituent parts of any such gas or gases and refined products derived from any such gas or gases, including, but not limited to, methane, ethane, propane, butane and helium, taken from below the surface of the earth or water in this state, regardless of whether from a gas well or from a well also productive of oil or any other product.

(d) "Gross value" means the sale price of oil or gas at the time of removal of the oil or gas from the lease or production unit and if oil or gas is exchanged for something other than cash, or if no sale occurs at the time of removal or if the director determines that the relationship between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the director shall determine the value of the oil or gas subject to tax based on the cash price paid to one or more producers for the oil or gas or based on the cash price paid to producers for like quality oil or gas in the vicinity of the lease or production unit at the time of the removal of the oil or gas from the lease or production unit.

(e) "Lease number" means the number assigned by the director of taxation to

identify each well, lease or combination of wells within a lease.

(f) "Oil" means petroleum, or other crude oil, condensate, casinghead gasoline, or other mineral oil which is severed or withdrawn from below the surface of the soil or water in this state.

(g) "Operator" means the person primarily responsible for the management and operation of coal, oil or gas productions from a lease, production unit or mine.

(h) "Person" means any natural person, firm, copartnership, joint venture, association, corporation, estate, trust or any other group or combination acting as a unit, and the plural as well as the singular number.

(i) "Producer" means any person owning, controlling, managing or leasing any coal, oil or gas property or oil or gas well or coal or salt mine, and any person who serves in any manner any coal, oil or gas in this state, and shall include any person owning any direct and beneficial interest in any coal, oil or gas produced, whether severed by such person or some other person on their behalf, either by lease, contract or otherwise, including a royalty owner.

(j) "Remove" or "removal" means the physical transportation of coal, oil or gas off of the lease or production unit or from the mine where severed; and if the manufacture or conversion of crude oil or natural gas into refined products occurs on the premises where severed, oil or gas shall be deemed to have been removed on the date such manufacture or conversion begins.

(k) "Secretary" means the secretary of revenue.

(l) "Severed" or "severing" means: (1) The production of oil through extraction or withdrawal of the same from below the surface of the soil or water, whether such extraction or withdrawal shall be by natural flow, mechanical flow, forced flow, pumping or any other means employed to get the oil from below the surface of the soil or water and shall include the withdrawal by any means whatsoever of oil upon which the tax has not been paid, from any surface reservoir, natural or artificial, or from a water surface; (2) the production of gas through the extraction or withdrawal of the same by any means whatsoever, from below the surface of the earth or water; and (3) the physical removal of coal from the earth.

(m) "Taxpayer" means any person liable for the taxes imposed by this act.

(n) "Disruption of production" means, in the case of oil, a continuous 24-hour period during which a well is not producing. Circulating and missed production days shall be considered production days if the operator can demonstrate that any lost production is subsequently recovered during a later production day. In the case of gas, a continuous one-hour period during which a well is not open to the pipeline shall be deemed to be a disruption of production. Missed production hours shall be considered production hours if the operator can demonstrate that any lost production is subsequently recovered during later production hours.

Sec. 14. K.S.A. 79-4226 is hereby amended to read as follows: 79-4226. (a) Every operator shall make and keep a complete and accurate record in the form required by the director showing the gross quantity of coal, oil or gas severed and removed from each lease, production unit or mine, the names of the purchasers of such products, the price paid therefor and the date of purchase. Every purchaser of coal, oil or gas severed in this state who is required to collect and remit the tax on the same shall make and keep a complete and accurate record in the form required by the director showing the gross quantity of coal, oil or gas purchased from each lease, production unit or mine,

the price paid therefor, the name of the operator and the date of purchase. Such records shall at all times during business hours of the day be available for and subject to inspection by the director, or the director's duly authorized agents and employees, for a period of three years from the last day of the calendar year to which the records pertain. Such records shall be preserved during the entire period during which they are subject to inspection by the director, unless the director in writing previously authorized their disposal.

(b) The amount of taxes imposed by this act is to be assessed within three years after the return is filed. In the case of a false or fraudulent return with intent to evade tax, the tax may be assessed or a proceeding in court for collection of such tax may be begun at any time, within two years from the discovery of such fraud. The provisions of K.S.A. 79-3226, and amendments thereto, relating to procedures for contesting a proposed assessment of additional tax or the denial of a refund shall apply as if set forth in this section. No refund shall be allowed by the director after three years from the date the return was filed, or one year after the assessment is made, whichever is the later date unless before the expiration of such period a claim therefor is filed by the taxpayer. No suit or action to recover on any claim for refund shall be commenced until after the expiration of six months from the date of filing a claim therefor with the director.

(c) Before the expiration of time prescribed in this section for the assessment of additional tax or the filing of a claim for refund, the director is hereby authorized to enter into an agreement in writing with the taxpayer consenting to the extension of the periods of limitations for the assessment of tax or for the filing of a claim for refund, at any time prior to the expiration of the periods of limitations. The periods so agreed upon may be extended by subsequent agreements in writing made before the expiration of the periods previously agreed upon. In consideration of such agreement or agreements, interest due in excess of 48 months on any additional tax shall be waived.

(d) No refund of mineral severance tax shall be allowed by the director or by any court of this state based on any administrative or judicial claim, petition, pleading, cause of action or request for relief that has been or may be filed on or after July 1, 1983, alleging that any constituent part of gas and any refined products derived from any such gas are not taxable pursuant to the provisions of K.S.A. 79-4216 et seq., and amendments thereto.

Sec. 15. K.S.A. 79-4226 and K.S.A. 2012 Supp. 74-50,222 and 79-4216 are hereby repealed.

Sec. 16. On July 1, 2013, K.S.A. 2012 Supp. 79-201a, as amended by section 1 of 2013 House Bill No. 2135, 79-32,110, 79-32,119, 79-32,120, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703 and 79-3710 are hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking ", modifications"; in line 3, following "revenue;" by inserting "privilege tax; rural opportunity zones; property tax, exemptions, industrial revenue bond property, homestead destroyed or substantially destroyed by natural disaster;"; also in line 3, by striking all following "amending"; by striking all in lines 4 through 8 and inserting: "K.S.A. 79-4226 and K.S.A. 2012 Supp. 74-50,222, 79-201a, as amended by section 1 of 2013 House Bill No. 2135, 79-32,110, 79-32,119, 79-32,120, 79-3603, 79-3620, as amended by section 6 of 2013 House Substitute for Senate Bill No. 83, 79-3703, 79-3710 and 79-4216 and repealing the

existing sections.";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

TERRY BRUCE

Conferees on part of Senate

RICHARD CARLSON

GENE SUELLENTROP

Conferees on part of House

On motion of Rep. Carlson, the conference committee report on **HB 2059** was adopted.

On roll call, the vote was: Yeas 69; Nays 45; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Claeys, Concannon, Crum, Dierks, Doll, Dove, Edwards, Ewy, Gandhi, Garber, Goico, Gonzalez, Hawkins, Hedke, Hermanson, Highland, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, Meigs, Merrick, O'Brien, Petty, Phillips, Proehl, Read, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Becker, Bollier, Bruchman, Burroughs, Carlin, Christmann, Clayton, Corbet, Davis, DeGraaf, Dillmore, Edmonds, Esau, Finch, Finney, Grant, Grosserode, Henry, Hibbard, Hildabrand, Kuether, Lusk, McPherson, Meier, Menghini, Moxley, Pauls, Peck, Perry, Powell, Rhoades, Rooker, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Frownfelter, Henderson, Houston, Kahrs, Lane, Montgomery, Osterman, Peterson, Wolfe Moore.

EXPLANATION OF VOTE

MR. SPEAKER: With regret I vote Aye on **HB 2059** because it recognizes that funding for education, higher education, social safety net, public safety, and state employee pay and retirement program contributions must be increased. It also recognizes that the path to zero income taxes must be slowed. Equally importantly, it at least offers the hope that investments can be made to preserve our drinking water supplies and halt the raids on the Dept. of Transportation's funds to maintain our highways and bridges. — TOM SLOAN

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2216** 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 62, by striking all in lines 7 through 43;

By striking all on pages 63 and 64;
 On page 65, by striking all in lines 1 through 30;
 And by renumbering sections accordingly;
 On page 68, in line 38, by striking "45-229,";
 On page 1, in the title, in line 4, by striking "45-229,"
 And your committee on conference recommends the adoption of this report.

TY MASTERSON

JIM DENNING

LAURA KELLY

Conferees on part of Senate

PETE DEGRAAF

JIM HOWELL

Conferees on part of House

On motion of Rep. DeGraaf, the conference committee report on **HB 2216** was adopted.

On roll call, the vote was: Yeas 81; Nays 28; Present but not voting: 0; Absent or not voting: 16.

Yeas: Alford, Becker, Bideau, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Christmann, Claeys, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Pauls, Peck, Petty, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sutton, Swanson, Thimesch, Todd, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Whipple.

Nays: Alcalá, Ballard, Boldra, Bollier, Burroughs, Carlin, Cassidy, Clayton, Dillmore, Doll, Ewy, Finney, Grant, Henry, Kelly, Kuether, Lusk, Meier, Meigs, Moxley, Phillips, Rooker, Sloan, Sloop, Tietze, Victors, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Frownfelter, Henderson, Houston, Kahrs, Kelley, Lane, Menghini, Montgomery, Osterman, Perry, Peterson, Ruiz, Suellentrop, Wolfe Moore.

CONSIDERATION OF VETOED BILL

The Governor's objection to **HB 2120** having been read May 24 (see HJ, page 1037), the time arrived for reconsideration of **HB 2120**, AN ACT concerning crimes, criminal procedure and punishment; relating to DNA evidence; relating to statute of limitations; relating to possession of a firearm during a drug felony; amending K.S.A. 2012 Supp. 21-2511, 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 21-6403 and 21-6805 and repealing the existing sections..

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2049**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2049** 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 34;

By striking all in pages 2 through 21;

On page 22, by striking all in lines 1 through 16 and inserting the following:

"Section 1. K.S.A. 2012 Supp. 21-2511 is hereby amended to read as follows: 21-2511. (a) On and after May 2, 1991, any person convicted as an required to register as an offender pursuant to K.S.A. 22-4901, and amendments thereto, any adult arrested or charged or adjudicated as a juvenile offender because of placed in custody for or charged with the commission of any felony, a violation of the following offenses, regardless of the sentence imposed, shall be required to submit biological samples authorized by and given to the Kansas bureau of investigation in accordance with the provisions of this section:

(1) Any felony;

(2) subsection (a)(1) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012 Supp. 21-5504, and amendments thereto;

(3) a violation of K.S.A. 21-3508, prior to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto, when committed in the presence of a person 16 or more years of age;

(4) a violation of K.S.A. 21-4310, prior to its repeal, or K.S.A. 2012 Supp. 21-6412, and amendments thereto;

(5) a violation of K.S.A. 21-3424, prior to its repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, when the victim is less than 18 years of age;

(6) a violation of K.S.A. 21-3507, prior to its repeal, or K.S.A. 2012 Supp. 21-5511, and amendments thereto, when one of the parties involved is less than 18 years of age;

(7) a violation of subsection (b)(1) of K.S.A. 21-3513, prior to its repeal, or subsection (b)(1)(A) of K.S.A. 2012 Supp. 21-6420, and amendments thereto, when one of the parties involved is less than 18 years of age;

(8) a violation of K.S.A. 21-3515, prior to its repeal, or K.S.A. 2012 Supp. 21-6421, and amendments thereto, when one of the parties involved is less than 18 years of age; or

(9) a violation of K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5505, and amendments thereto; or

(10) including 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. 2012 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of any such offenses provided in this subsection, regardless of the sentence imposed, shall be required to submit specimens of blood or an oral or other biological sample authorized by the Kansas bureau of

investigation to the Kansas bureau of investigation in accordance with the provisions of this act, if such person is:

(1) ~~Convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in subsection (a) on or after the effective date of this act;~~

(2) ~~ordered institutionalized as a result of being convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in subsection (a) on or after the effective date of this act; or~~

(3) ~~convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in this subsection before the effective date of this act and is presently confined as a result of such conviction or adjudication in any state correctional facility or county jail or is presently serving a sentence under K.S.A. 21-4603, 21-4603d, 22-3717 or K.S.A. 2012 Supp. 38-2361, and amendments thereto.~~

(b) ~~Notwithstanding any other provision of law, the Kansas bureau of investigation is authorized to obtain fingerprints and other identifiers for all persons, whether juveniles or adults, covered by~~ required to submit a sample under the provisions of this act. section.

(c) ~~Any person required by paragraphs (a)(1) and (a)(2) to provide such specimen or sample shall be ordered by the court to have such specimen or sample collected within 10 days after sentencing or adjudication:~~

(1) ~~If placed directly on probation, that person must provide such specimen or sample, at a collection site designated by the Kansas bureau of investigation. Collection of specimens shall be conducted by qualified volunteers, contractual personnel or employees designated by the Kansas bureau of investigation. Failure to cooperate with the collection of the specimens and any deliberate act by that person intended to impede, delay or stop the collection of the specimens shall be punishable as contempt of court and constitute grounds to revoke probation;~~

(2) ~~if sentenced to the secretary of corrections, such specimen or sample will be obtained as soon as practical upon arrival at the correctional facility; or~~

(3) ~~if a juvenile offender is placed in the custody of the commissioner of juvenile justice, in a youth residential facility or in a juvenile correctional facility, such specimen or sample will be obtained as soon as practical upon arrival.~~

Persons required to submit a sample pursuant to subsection (a) shall be required to submit such sample at the same time such person is fingerprinted pursuant to the booking procedure.

(d) ~~Any person required by paragraph (a)(3) convicted as an adult and who was incarcerated on May 2, 1991, for a crime committed prior to May 2, 1991, shall be required to provide such specimen or submit a sample shall be required to provide such samples prior to final discharge or conditional release at a collection site designated by the Kansas bureau of investigation. Collection of specimens shall be conducted by qualified volunteers, contractual personnel or employees designated by the Kansas bureau of investigation.~~

(e) (1) ~~On and after January 1, 2007 through June 30, 2008, any adult arrested or charged or juvenile placed in custody for or charged with the commission or attempted commission of any person felony or drug severity level 1 or 2 felony shall be required to submit such specimen or sample at the same time such person is fingerprinted pursuant to the booking procedure.~~

~~(2) On and after July 1, 2008, except as provided further, any adult arrested or charged or juvenile placed in custody for or charged with the commission or attempted commission of any felony; a violation of subsection (a)(1) of K.S.A. 21-3505; a violation of K.S.A. 21-3508; a violation of K.S.A. 21-4310; a violation of K.S.A. 21-3424, and amendments thereto, when the victim is less than 18 years of age; a violation of K.S.A. 21-3507, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of subsection (b)(1) of K.S.A. 21-3513, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of K.S.A. 21-3515, and amendments thereto, when one of the parties involved is less than 18 years of age; or a violation of K.S.A. 21-3517, and amendments thereto; shall be required to submit such specimen or sample at the same time such person is fingerprinted pursuant to the booking procedure.~~

~~(3)(c)~~ Prior to taking such samples, the arresting, charging or custodial law enforcement or juvenile justice agency shall search the Kansas criminal history files through the Kansas criminal justice information system to determine if such person's sample is currently on file with the Kansas bureau of investigation. In the event that it cannot reasonably be established that a DNA sample for such person is on file at the Kansas bureau of investigation, the arresting, charging or custodial law enforcement or juvenile justice agency shall cause a sample to be collected. If such person's sample is on file with the Kansas bureau of investigation, the law enforcement or juvenile justice agency is shall not be required to take the sample.

~~(4)(f)(1)~~ If a court later determines that there was not probable cause for the arrest, charge or placement in custody or the charges are otherwise dismissed, and the case is not appealed, the Kansas bureau of investigation, upon petition by such person, shall expunge both the DNA sample and the profile record of such person.

~~(5)(2)~~ If a conviction against a person; who is required to submit such ~~specimen or sample~~; is expunged or a verdict of acquittal with regard to such person is returned, the Kansas bureau of investigation shall, upon petition by such person, expunge both the DNA sample and the profile record of such person.

~~(f) All persons required to register as offenders pursuant to K.S.A. 22-4901 et seq., and amendments thereto, shall be required to submit specimens of blood or an oral or other biological sample authorized by the Kansas bureau of investigation to the Kansas bureau of investigation in accordance with the provisions of this act.~~

(g) The Kansas bureau of investigation shall provide all ~~specimen vials, mailing tubes, labels kits, supplies~~ and instructions necessary for the collection of ~~blood, oral or other~~ biological samples. The collection of samples shall be performed in a medically approved manner. No person ~~authorized by this section to withdraw blood, and no person~~ assisting in the collection of ~~these samples pursuant to the provisions of this section~~ shall be liable in any civil or criminal action when the act is performed in a reasonable manner according to generally accepted medical practices. ~~The withdrawal of blood for purposes of this act may be performed only by: (1) A person licensed to practice medicine and surgery or a person acting under the supervision of any such licensed person; (2) a registered nurse or a licensed practical nurse; or (3) any qualified medical technician including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto; or a phlebotomist. The Such samples shall thereafter be forwarded to the Kansas bureau~~

of investigation ~~and~~ the bureau shall analyze ~~the~~ such samples to the extent allowed by funding available for this purpose.

(h) ~~(1)~~ The DNA (deoxyribonucleic acid) records and DNA samples shall be maintained by the Kansas bureau of investigation. The Kansas bureau of investigation shall establish, implement and maintain a statewide automated DNA databank and DNA database capable of, but not limited to, searching, matching and storing DNA records. The DNA database ~~as~~ established by this ~~act~~ section shall be compatible with the procedures specified by the federal bureau of investigation's combined DNA index system ~~(CODIS)~~. The Kansas bureau of investigation shall participate in the ~~CODIS~~ federal bureau of investigation's combined DNA index system program by sharing data and utilizing compatible test procedures, laboratory equipment, supplies and computer software.

~~(i)(2)~~ The DNA records obtained pursuant to this ~~act~~ section shall be confidential and shall be released only to authorized criminal justice agencies. ~~The~~ Such DNA records shall be used only for law enforcement identification purposes or to assist in the recovery or identification of human remains from disasters or for other humanitarian identification purposes, including but not limited to, identification of missing persons.

~~(j)(1)(3)~~ The Kansas bureau of investigation shall be the state central repository for all DNA records and DNA samples obtained pursuant to this ~~act~~ section. No DNA records shall be accepted for admission or comparison unless obtained in substantial compliance with the provisions of this section by an accredited forensic laboratory meeting the national DNA index guidelines established by the federal bureau of investigation.

(i) (1) The Kansas bureau of investigation shall promulgate rules and regulations for:

- (A) The form and manner of the collection and maintenance of DNA samples;
- (B) a procedure which allows ~~the defendant~~ defendants to petition to expunge and destroy the DNA samples and profile record in the event of a dismissal of charges, expungement or acquittal at trial; and

(C) any other procedures for the operation of this ~~act~~ section.

(2) ~~These~~ Such rules and regulations also shall require compliance with national quality assurance standards to ensure that ~~the~~ such DNA records satisfy standards of acceptance of such records into the national DNA identification index.

(3) The provisions of the Kansas administrative procedure act shall apply to all actions taken ~~under the~~ pursuant to such rules and regulations ~~so promulgated~~.

~~(k)(j)~~ The Kansas bureau of investigation is authorized to contract with third parties for the purposes of implementing this section. Any other party contracting to carry out the functions of this section shall be subject to the same restrictions and requirements of this section, insofar as applicable, as the bureau, as well as any additional restrictions or requirements imposed by the bureau.

~~(k)~~ In the event that a person's DNA sample is lost, was not properly obtained pursuant to the provisions of this section or is not adequate for any reason, the person shall provide another sample for analysis.

(l) A sample, or any evidence based upon or derived from such sample, collected by a law enforcement agency or a juvenile justice agency in substantial compliance with the provisions of this section, shall not be excluded as evidence in any criminal proceeding on the basis that such sample was not validly obtained.

(m) Any person who is subject to the requirements of this section, and who, after receiving notification of the requirement to provide a DNA specimen, knowingly refuses to provide such DNA specimen, shall be guilty of a class A nonperson misdemeanor.

(n) As used in this section:

(1) "DNA" means deoxyribonucleic acid; and

(2) "profile record" means the identifying information of the laboratory performing the examination, case numbers, laboratory personnel and the specimen identification number related to a DNA profile.

Sec. 2. K.S.A. 2012 Supp. 21-5107, as amended by section 1 of 2013 House Bill No. 2252, is hereby amended to read as follows: 21-5107.(a) A prosecution for rape, aggravated criminal sodomy, 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 crime as defined in K.S.A. 22-3717, and amendments thereto:

(1) When the victim is 18 years of age or older shall be commenced within 10 years or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later; or

(2) when the victim is under 18 years of age shall be commenced within 10 years of the date the victim turns 18 years of age 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. 2012 Supp. 21-5102, and amendments thereto, not governed by subsection (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 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.

(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.

Sec. 3. K.S.A. 22-2809a is hereby amended to read as follows: 22-2809a. (a) As used in this section: (1) "Surety" means a person or commercial surety, other than a defendant in a criminal proceeding, that guarantees the appearance of a defendant in a criminal proceeding, by executing an appearance bond;

(2) "agent of a surety" means a person not performing the duties of a law enforcement officer who tracks down, captures and surrenders to the custody of a court a fugitive who has violated a surety or bail bond agreement.

(b) Any surety or agent of a surety, commonly referred to as a bounty hunter, who intends to apprehend any person in this state pursuant to K.S.A. 22-2809, and amendments thereto, or under similar authority from any other state, shall inform law enforcement authorities in the city or county in which such surety or agent of a surety intends such apprehension, before attempting such apprehension. The surety or agent of a surety shall present to the local law enforcement authorities a certified copy of the bond, a valid government-issued photo identification, written appointment of agency, if not the actual surety, and all other appropriate paperwork identifying the principal and the person to be apprehended. Local law enforcement may accompany the surety or agent.

(c) No person who, ~~within the past 10 years,~~ has been convicted, in this or any other jurisdiction, of a ~~person~~ felony; may act as a surety or as an agent of a surety unless 10 or more years have elapsed since such person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(d) An out-of-state surety or agent of a surety who intends to apprehend any person in this state pursuant to K.S.A. 22-2809, and amendments thereto, or under similar authority from any other state, shall contract with an individual that has been authorized

by any court in this state to act as a surety or agent of a surety, before attempting such apprehension, and be accompanied by such individual during such apprehension.

~~(d)~~ (e) Violation of this section is a class A nonperson misdemeanor for the first conviction of a violation and a severity level 9, nonperson felony upon a second or subsequent conviction of a violation.

New Sec. 4. (a) Voting more than once is intentionally:

(1) Voting or attempting to vote more than once in the same jurisdiction or voting in more than one jurisdiction in the United States in an election held on a particular date; or

(2) inducing or aiding any person to vote more than once in the same jurisdiction or voting in more than one jurisdiction in the United States in an election held on a particular date.

(b) Voting more than once is a severity level 8, nonperson felony.

(c) This section shall be part of and supplemental to article 24 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 5. (a) Independent authority to prosecute any person who has violated or attempted to violate any act that constitutes a Kansas elections crime defined in K.S.A. 25-1128 or article 24 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, shall be vested in:

(1) The district attorney or county attorney of the county where such violations occurred;

(2) the Kansas attorney general; or

(3) the Kansas secretary of state.

(b) If one of the officers listed in subsection (a) has commenced the prosecution of a person who has violated or attempted to violate any act that constitutes a Kansas election crime, the other officers listed in subsection (a) may provide assistance to the prosecuting officer but may not commence a separate prosecution.

Sec. 6. K.S.A. 2012 Supp. 25-1128 is hereby amended to read as follows: 25-1128.

(a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.

(b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.

(c) Except as otherwise provided by law, no person other than the voter, shall knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.

(d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.

(e) No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-1124, and

amendments thereto, shall knowingly intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.

(g) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Upon written designation by the voter, a person other than the voter may return the advance voting ballot by personal delivery or mail. Any such person designated by the voter shall sign a statement that such person has not exercised undue influence on the voting decisions of the voter and agrees to deliver the ballot as directed by the voter.

(h) Violation of any provision of this section is a class C misdemeanor.

Sec. 7. K.S.A. 25-2409 is hereby amended to read as follows: 25-2409. (a) Election bribery is conferring, offering or agreeing to confer, or soliciting, accepting or agreeing to accept any benefit as consideration to or from any person either to vote or withhold any person's vote, or to vote for or against any candidate or question submitted at any public election.

~~(b) This section shall not apply to a business or organization that provides a product of a value less than \$3.00 to any person who asserts that such person has voted, without regard to the voter's vote for or against any candidate or issue.~~

(c) Election bribery is a severity level 7, nonperson felony.

Sec. 8. K.S.A. 25-2416 is hereby amended to read as follows: 25-2416. (a) Voting without being qualified is knowingly ~~and willfully~~: ~~(a)~~

(1) Voting or attempting to vote ~~at in~~ any election district when not a lawfully registered voter: in such election district; or

~~(b)(2) Voting or offering to vote more than once at the same election voting or attempting to vote at any election by a person who is not a citizen of the United States or who does not otherwise meet the qualification of an elector.~~

~~(c)(b) Inducing or aiding any person to vote more than once at the same election. Voting without being qualified is a class A misdemeanor severity level 8, nonperson felony.~~

Sec. 9. K.S.A. 25-2423 is hereby amended to read as follows: 25-2423. (a) Election tampering is, while being charged with no election duty, making or changing any election record.

(b) Election tampering is a severity level ~~8~~ 7, nonperson felony.

Sec. 10. K.S.A. 25-2431 is hereby amended to read as follows: 25-2431. (a) False impersonation of a voter is representing oneself as another person whether real or fictitious and ~~thereas~~ thereby voting or attempting to vote.

(b) False impersonation of a voter is a severity level 9 ~~8~~, nonperson felony.

Sec. 11. K.S.A. 2012 Supp. 25-2507 is hereby amended to read as follows: 25-2507. (a) "Poll book" means a book in which each voter may sign the voter's signature and a number is assigned by one of the clerks of the election board when the voter is given a ballot or set of ballots. If the county election officer determines that voters shall sign the poll book, such book shall also contain on each page the declaration prescribed by subsection (d).

(b) "Registration book" means: (1) A book or list containing the names and other information relating to registered voters. Registration books shall have the names

entered therein before the same or copies thereof are delivered to the supervising judges. Registration books may also contain blank lines on which each voter shall sign the voter's signature. If the county election officer determines that voters shall sign the registration book, such book shall also contain on each page the declaration prescribed by subsection (d); or

(2) a book meeting the requirements of K.S.A. 25-2507 (b)(1), and amendments thereto, containing blank lines on which each voter shall sign the voter's signature, containing on each page the declaration prescribed by subsection (d), and containing the numbers assigned by one of the clerks of the election board when voters are given ballots or sets of ballots.

(c) "Party affiliation lists" means a list containing the names of all registered voters of a county who have lawfully designated a party affiliation.

(d) "Declaration" means the following: "I, the undersigned, declare under penalty of perjury that I am a registered voter in the state of Kansas, county of _____, that I have not signed a name other than my own in order to represent myself as any other registered voter, and that I am qualified to vote and have not previously voted and will not vote again ~~at this election~~ in the election held on this date, in this or any other jurisdiction in the United States, for any offices or ballot issues."

Sec. 12. K.S.A. 22-2809a, 25-2409, 25-2416, 25-2423 and 25-2431 and K.S.A. 2012 Supp. 21-2511, 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 25-1128 and 25-2507 are hereby repealed.;

And by renumbering the remaining section accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 6 and inserting "crimes, punishment and criminal procedure; relating to DNA evidence; statute of limitations; election crimes; amending K.S.A. 22-2809a, 25-2409, 25-2416, 25-2423 and 25-2431 and K.S.A. 2012 Supp. 21-2511, 21-5107, as amended by section 1 of 2013 House Bill No. 2252, 25-1128 and 25-2507 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

JEFF KING

GREG SMITH

Conferees on part of Senate

LANCE Y. KINZER

ROBERT BRUCHMAN

Conferees on part of House

On motion of Rep. Kinzer to adopt the conference committee report on **HB 2049**, the motion did not prevail and the bill was killed.

On roll call, the vote was: Yeas 45; Nays 64; Present but not voting: 0; Absent or not voting: 16.

Yeas: Bideau, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Claey's, Crum, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Goico, Hawkins, Hedke, Highland, Hoffman, Huebert, Johnson, Jones, Kelley, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Seiwert, Shultz, Siegfried, Sutton, Thimesch, Vickrey.

Nays: Alcala, Alford, Ballard, Becker, Boldra, Bollier, Burroughs, Campbell, Carlin, Carpenter, Cassidy, Christmann, Clayton, Concannon, Corbet, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finch, Finney, Gonzalez, Grant, Grosserode, Henry, Hibbard, Hildabrand, Hill, Hineman, Houser, Howell, Hutton, Jennings, Kelly, Kuether, Lusk, Meier, Meigs, Moxley, Pauls, Peck, Petty, Phillips, Proehl, Rooker, Sawyer, Schroeder, Schwartz, Sloan, Sloop, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Barker, Bridges, Frownfelter, Henderson, Hermanson, Houston, Kahrs, Lane, Menghini, Montgomery, Osterman, Perry, Peterson, Ruiz, Suellentrop, Wolfe Moore.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 171**.

Announcing adoption of **SCR 1614**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Davis, **SCR 1614**, A CONCURRENT RESOLUTION relating to the 2013 regular session of the legislature and providing for an adjournment thereof, was introduced and adopted.

On motion of Rep. Vickrey, the House adjourned until 10:00 a.m., Thursday, June 20, 2013.

Journal of the House

SEVENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 20, 2013, 10:00 a.m.

The House met pursuant to **SCR 1614** with Speaker Merrick in the chair.

Prayer by guest chaplain, the Rev. Josh Fredlund, Wanamaker Woods Church of the Nazarene, Topeka:

Heavenly Father, I want to thank you for each person in this room and the work that they accomplished for the state of Kansas in this session. God I pray that you will give them rest as they head back to their home and the people that they serve. I pray that you will continue to bless this great state through the work of the men and women whom have been elected as well as those that they represent. I pray for travel mercies as they head home. In Jesus name I pray, Amen.

The Pledge of Allegiance was led by Rep. Weber.

PERSONAL PRIVILEGE

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

Last year we were stunned at the loss of Representative Bob Bethell in a car accident at the close of session. In recognition of Representative Bethell's years of service and sense of fairness, a new award was presented to his widow, Lorene, commending Bob as statesman of the year.

Webster's early dictionary defines statesman as "One versed in the arts of government; usually, one eminent in political abilities, later adding the phrase: A leader considered above partisan politics."

Alexander Pope, in his *Moral Essays* (1720) elaborated:

"Statesman, friend to truth, of soul sincere,
In action faithful, and in honor clear,
Who broke no promise, served no private end,
Who gaine'd no title, and who lost no friend."

This year we received equal nominations for this new award, and it was decided to grant two awards, to Representatives Arlen Siegfried and Jan Pauls. Arlen and Jan serve as co-chairs of the Weekly Legislative Prayer Breakfast during session. They both are faithful in urging others to pray for their colleague who is speaking at the mic. They champion an air of civility in committees and on the floor. They work hard at treating others fairly and with respect.

A root word for statesman is stature. Often seen as tallness, the word is also used in the Scriptures by Luke (2:52) when he says of Jesus at age twelve: "He increased in wisdom and stature with God and man." Jan and Arlen have increased in favor with their peers here in the Statehouse.

Congratulations to both of you.

PERSONAL PRIVILEGE

Rep. Weber addressed a few remarks to the members of the House announcing his resignation and thanking all the members for their support.

MESSAGES FROM THE GOVERNOR

HB 2213 approved on June 7, 2013.

Also, **HB 2216** approved on June 11, 2013.

Also, **HB 2059** approved on June 13, 2013.

MESSAGE FROM THE GOVERNOR

June 11, 2013

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

Enclosed herewith is Executive Directive No. 13-440 for your information.

EXECUTIVE DIRECTIVE NO. 13-440
Authorizing Personnel Transactions

SAM BROWNBACK
Governor

MESSAGE FROM THE GOVERNOR

June 11, 2013

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

Enclosed herewith is Executive Directive No. 13-441 for your information.

EXECUTIVE DIRECTIVE NO. 13-441
Authorizing A Fund Transfer

SAM BROWNBACK
Governor

COMMUNICATIONS FROM STATE OFFICERS

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health and Environment, in accordance with k.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for the My 2013 reporting period.

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

REPORT ON ENGROSSED BILLS

HB 2059, HB 2216 reported correctly engrossed June 3, 2013.

REPORT ON ENROLLED BILLS

HB 2059, HB 2216 reported correctly enrolled, properly signed and presented to the Governor on June 10, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6035 reported correctly enrolled and properly signed on June 4, 2013.

The hour for final adjournment having arrived, Speaker Merrick said, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2013 session, I do now declare the House adjourned sine die."

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

**COMMUNICATIONS FROM STATE OFFICERS**

To all to whom these presents shall come, Greetings:

I, KRIS KOBACH, Secretary of the State of Kansas, do hereby certify that Maynard Estes, Dodge City, Kansas, was appointed by the Governor effective June 20, 2013, for the unexpired term of State Representative for the 119th Legislative District, to fill the vacancy created by the resignation of Brian Weber.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 20th day of June, A.D. 2013.

KRIS KOBACH
Secretary of State

OATH OF OFFICE

Representative-elect Maynard Estes took and subscribed to the following oath of office, which was administered by Deputy Assistant Secretary of State Nancy Bryant.

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of member of the House of Representatives, so help me God.

Subscribed and sworn to before me this 20th day of June, 2013.

NANCY BRYANT
Deputy Assistant Secretary of State

MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits a veto message from the Governor on **SB**

171. “AN ACT making and concerning appropriations for fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, 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. 2012 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-8963, 74-99b34, 75-2319, 75-6702, 76-3,107, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4227, 79-4804 and 82a-953a and repealing the existing sections”, which was received on June 15, 2013 and was read before the Senate on June 20, 2013.

“I want to thank every member of the Kansas Legislature for your hard work during the 2013 session. This two-year budget will provide state agencies and school districts a greater level of funding certainty, allowing them to extend their planning horizons and strengthen their focus on improving services. Having a strong ending balance for three straight years will help us weather the uncertainty of a federal government that continues to have major budget problems. Your commitment to fiscal responsibility will ensure every taxpayer dollar will be used in an effective and efficient manner.”

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 171 with my signature approving the bill, except for the items enumerated below.

Department of Administration

Refund of Past FICA Payments for Medical Residents

Section 29(f) is vetoed in its entirety.

In my original budget I had recommended that from the state’s share of FICA refunds originally made on behalf of medical residents, \$25.0 million be swept to the State General Fund and that \$10.0 million of that be devoted to construction of a new medical education building for the Medical Center. The timing of the refunds has been much slower than ever anticipated and the state has not yet received its full share of the refunds from the Internal Revenue Service (IRS). We are going to pay the medical residents their share received to date, but I veto this sweep of the state’s share so it does not occur prior to full settlement with the IRS.

Department of Corrections

Transfer of State Resources

Section 44(c), 44(d), 44(e), 44(f), 45(b) and 173(h) are vetoed in their entirety.

I have grave concerns about the impact of this budget on public safety. Eliminating the \$1.9 million in current year budget lapses and the sweep of \$750,000 from the Kansas Correctional Industries will allow the Department of Corrections to use these resources to soften the impact of their reduced funding and protect critical components of our corrections system.

Office of the Attorney General

Fee Sweeps to the State General Fund

Section 87(h), Section 87(i), Section 88(g), Section 88(h) and Section 88(i) have

been line-item vetoed in their entirety.

The Court Cost Fund and the Medicaid Prosecution Revolving Fund receive money from various litigation settlements handled by the Attorney General in which the defendant is ordered to reimburse the state's litigation costs. Sometimes, the balance in these litigation recovery funds exceeds the actual cost of operating the state's litigation and, at those times, it is proper to remove the "excess" and place it in the State General Fund for other uses. The critical issue is not whether that is done but how and when. This approach provides stability and planning ability so the agency can operate the recovery litigation professionally and in a cost-efficient manner without worrying whether sufficient funds are available in the short-term to make payroll. Most importantly, it also ensures the state's recovery litigation is focused exclusively on obtaining just litigation outcomes and not on the need to generate immediate funds to pay the current bills. In addition, sweeping the money paid by Kansans who seek to permit to carry a concealed firearm pursuant to the Kansas Personal and Family Protection Act into the State General Fund transforms these dedicated permit fees into a general "gun tax" on Kansans who are exercising their Second Amendment Rights. For these reasons, I veto the sweeps that exceed my recommendations applied to the Attorney General's Office.

Department of Administration

Sweep of the Curtis State Office Building Maintenance Reserve Fund

Section 111(t) has been vetoed in its entirety.

A lease agreement with the Public Building Commission and the State of Kansas was executed upon construction and occupancy of the Curtis State Office Building. Within that contract and the bond documents issued on the construction of the building was a provision that the building's reserve fund would accrue a balance up to \$2.5 million. It is bond counsel's opinion that transferring cash from this fund would be a reportable material default to the Securities Exchange Commission and would hinder the state's ability to issue future bonds related to NBAF, the KBI lab at Washburn and the Department of Agriculture's move to the Kansas State University campus. I therefore find it necessary to veto this provision.

Elimination of Vacant Positions

Section 111(w) and Section 112(s) have been vetoed in their entirety.

In FY 2010, agencies' headcounts totaled 23,957.98, excluding the Regents. In FY 2012, we drove that number down to 22,208.57. My administration remains committed to reducing the size of state government and we will continue those efforts in the next year. We went through a lengthy exercise last year to eliminate old vacant positions. Moreover, the language in these sections will drive agencies to spend more on overtime as they will be kept from filling positions open for only 120 days. In some locations, such as at Larned State Hospital and Topeka Correctional Facility, we face challenges in recruiting and retaining staff at critical agencies and this language does not grant them any flexibility. For these reasons, I veto these provisions and will continue to work with agencies to restructure them in a targeted and strategic manner.

Department of Commerce

Sweep of the Reimbursement and Recovery Fund

Section 123(l) and Section 124(j) are vetoed in their entirety.

The Reimbursement and Recovery Fund of the Department of Commerce is primarily used to finance the operations of America’s Job Link Alliance (AJLA). AJLA is a consortium of state workforce agencies and program operators that collaborate to reduce costs in the development of workforce development software needs for member states. Sweeping the pooled resources from the Reimbursement and Recovery Fund in FY 2014 and FY 2015 would violate our obligation to those states and necessitate reimbursement to them, so I must veto both of these transfers.

University of Kansas Medical Center
Enrollment Management

Section 167(e) and 168(e) are vetoed in their entirety.

The University of Kansas School of Medicine campus in Salina was created to address the critical shortage of physicians, particularly in rural Kansas. This innovative medical education program is aimed at students with a strong desire to practice in rural areas. I understand the Legislature’s concern that this program as well as the Wichita campus not be disproportionately impacted by budget cuts. According to the University of Kansas Medical Center (KUMC), the language in this provision will require undesirable reductions to its Wichita campus, while a veto will keep current student levels the same. KUMC has committed to me how they will manage their budget cuts if these provisions are removed. The Center will still impose a variety of operational changes to manage this funding loss:

Plan and impact if the Proviso is vetoed:

Student reductions (in Kansas City only):

- 20 Nursing students
- 5 Health Professions students
- 4 Residency (GME) positions
- 2 MD/PhD student positions

I therefore veto these constraints on the Medical Center’s management of its programs.

Department of Corrections
Budget for Corrections

Section 174 is vetoed in its entirety.

The Department of Corrections plays a key role in maintaining our state’s public safety. Because I consider it inadequate, I veto the FY 2015 budget and look forward to working with the 2014 Legislature in finding the Department sufficient resources to ensure public safety is not imperiled.

Kansas Water Office
Weather Modification

That portion of Section 193(c) that reads as follows has been line-item vetoed.

“Weather modification program.....\$100,000
Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2013, is hereby reappropriated for fiscal year 2014.”

Support for this program has declined at the local level and the ongoing drought in western Kansas has exacerbated the continued declines of the Ogallala Aquifer. In 2012, I signed into law policies that will provide greater opportunities to conserve and

extend the life of the Aquifer, such as Local Enhanced Management Areas (LEMA). As a result, I encourage the use of future State Water Plan Fund dollars in support of LEMAs and other related conservation efforts.

Salary Cap

Limitations on Agency Operations

Section 199 and 200 are vetoed in their entirety.

I applaud the Legislature's efforts to reduce the size and cost of state government. However, when salary restrictions are applied, they must be done so in a consistent manner, except when some inconsistency is justified. The language in these sections impacts agencies inconsistently and punishes those agencies that were working most diligently to drive down costs. Additionally, this policy restricts the ability of state agencies to best manage the reduced resources provided by this budget. While I veto these provisions, this action does not spend additional State General Fund resources.

Moving Forward

Public safety is unquestionably a core function of state government. The services provided by the Kansas Department of Corrections are a critical component of protecting our citizens. I will do everything I can to minimize the impact of the reduced funding on public safety. However, I ask that you carefully and thoughtfully consider whether or not this reduction was appropriate when you return.

The people of Kansas expect excellence in higher education. Our Regents system fuels the engine of our economy by providing a highly skilled workforce and nurturing the next generation of Kansas teachers, doctors, business people and others. I encourage you to spend the next several months examining university budgets more closely and working with their leadership teams and the Board of Regents to craft a shared vision for higher education in Kansas; a vision that you are confident both maintains our high standard of excellence and uses resources efficiently. “

There being no motion to reconsider **SB 171**, the President ruled the veto sustained.

Announcing the Senate herewith transmits a veto message from the Governor on **SB 37**. “AN ACT concerning the Kansas home inspectors’ professional competence and financial responsibility act; amending K.S.A. 2012 Supp. 58-4501 and repealing the existing section.” which was received on April 11, 2013 and was read before the Senate on May 8, 2013.

“SB 37 provides an opportunity to determine if the Kansas Home Inspectors Registration Board should be made permanent. Central to this issue is whether or not the potential harm inflicted upon the citizens of Kansas by unscrupulous home inspectors warrants the expansion of government and increased regulation that was applied in 2008 to this segment of the private sector. Also, the sunset that was added to the statute in 2009 allows us to reconsider the efficiency, effectiveness, and necessity of the board. Sunset dates are an important tool of limited government and should only be removed under very limited circumstances.”

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return Senate Bill No. 171 with my signature approving the bill, except for the items

enumerated below.”

There being no motion to reconsider **SB 37**, the President ruled the veto sustained.

TITLE AND HISTORY
OF
HOUSE BILLS
AND
HOUSE RESOLUTIONS

TITLE AND HISTORY OF HOUSE BILLS

- H 2001** Bill by Legislative Post Audit Committee
Substitute HB 2001 by Committee on Veterans, Military and Homeland Security--Military service members; Kansas national guard educational assistance act.
 12/13/2012 House—Prefiled for Introduction on Tuesday, December 11, 2012—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 48
 01/16/2013 House—Hearing: Tuesday, January 22, 2013, 9:00 AM Room 152-S
 02/13/2013 House—Committee Report recommending substitute bill be passed by Committee on Veterans, Military and Homeland Security—HJ 203
 02/18/2013 House—Committee of the Whole - Referred to Committee on Veterans, Military and Homeland Security—HJ 235
- H 2002** Bill by Legislative Post Audit Committee
Substitute for HB 2002 by Committee on Federal and State Affairs -- Legislative post audit; financial and security audits.
 12/13/2012 House—Prefiled for Introduction on Tuesday, December 11, 2012—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Federal and State Affairs—HJ 48
 01/25/2013 House—Hearing: Friday, February 01, 2013, 9:00 AM Room 346-S
 03/20/2013 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 448
 03/25/2013 House—Committee of the Whole - Substitute bill be passed—HJ 520
 03/26/2013 House—Final Action - Substitute passed; Yea: 118 Nay: 1—HJ 537
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 477
- H 2003** Bill by Representative Huebert
School districts; finance; amendments to funding formula.
 01/07/2013 House—Prefiled for Introduction on Monday, January 07, 2013—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Education—HJ 48
 02/01/2013 House—Withdrawn from Committee on Education; Referred to Committee on Education Budget—HJ 136
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 281-N
 02/28/2013 House—Withdrawn from Committee on Education Budget; Referred to Committee on Appropriations—HJ 318
 03/01/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 319
 03/08/2013 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 368
- H 2004** Bill by Representative Huebert
Retaining students from grade-level promotion if not proficient on the reading state assessment for grade three.
 01/07/2013 House—Prefiled for Introduction on Monday, January 07, 2013—HJ 47
 01/14/2013 House—Introduced—HJ 47

01/14/2013 House—Referred to Committee on Education—HJ 48

H 2005 Bill by Representative Huebert

State aid for capital improvements and capital outlay for school districts.

01/07/2013 House—Prefiled for Introduction on Monday, January 07, 2013—HJ 47

01/14/2013 House—Introduced—HJ 47

01/14/2013 House—Referred to Committee on Education—HJ 48

H 2006 Bill by Joint Administrative Rules and Regulations

Kansas rules and regulations filing act.

01/08/2013 House—Prefiled for Introduction on Tuesday, January 08, 2013—HJ 47

01/14/2013 House—Introduced—HJ 47

01/14/2013 House—Referred to Committee on Judiciary—HJ 48

01/17/2013 House—Hearing: Thursday, January 24, 2013, 3:30 PM Room 112-N

01/29/2013 House—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Judiciary—HJ 114

02/04/2013 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 142

02/04/2013 Senate—Received and Introduced—SJ 109

02/05/2013 Senate—Referred to Committee on Judiciary—SJ 111

02/28/2013 Senate—Hearing: Thursday, March 07, 2013, 10:30 AM Room 346-S

03/07/2013 Senate—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Judiciary—SJ 250

03/13/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 268

03/19/2013 House—Enrolled and presented to Governor on Tuesday, March 19, 2013
—HJ 439

03/28/2013 House—Approved by Governor on Thursday, 28 March 2013—HJ 591

H 2007 Bill by 2012 Special Financial Institutions and Insurance

Insurance Holding Company act.

01/10/2013 House—Prefiled for Introduction on Thursday, January 10, 2013—HJ 47

01/14/2013 House—Introduced—HJ 47

01/14/2013 House—Referred to Committee on Insurance—HJ 48

01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 152-S

02/08/2013 House—Committee Report recommending bill be passed by Committee on
Insurance—HJ 173

02/27/2013 House—Committee of the Whole - Be passed—HJ 293

02/28/2013 House—Final Action - Passed; Yea: 104 Nay: 20—HJ 297

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 243

03/07/2013 Senate—Hearing: Thursday, March 14, 2013, 9:30 AM Room 546-S

03/14/2013 Senate—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Financial Institutions and Insurance—
SJ 295

03/20/2013 Senate—Consent Calendar Passed Yea: 39 Nay: 1—SJ 340

03/26/2013 House—Enrolled and presented to Governor on Tuesday, March 26, 2013
—HJ 589

04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2008 Bill by Representative Finney

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

Amending the statute of limitations for prosecution of sexually violent offenses where the victim is under 18 years of age.

01/11/2013 House—Prefiled for Introduction on Friday, January 11, 2013—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 48

H 2009 Bill by Representative Finney

Relating to restricted driving privileges in lieu of suspension.

01/11/2013 House—Prefiled for Introduction on Friday, January 11, 2013—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Transportation—HJ 48
 01/23/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 582-N
 02/04/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 143
 02/06/2013 House—Committee of the Whole - Be passed as amended—HJ 154
 02/07/2013 House—Final Action - Passed as amended; Yea: 63 Nay: 60—HJ 164
 02/07/2013 Senate—Received and Introduced—SJ 127
 02/08/2013 Senate—Referred to Committee on Transportation—SJ 135
 02/18/2013 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Judiciary—SJ 159
 03/12/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 263
 03/19/2013 Senate—Committee of the Whole - Be passed as amended—SJ 336
 03/20/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 343
 03/22/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Perry as conferees—HJ 475
 03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 394
 04/03/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 558
 04/04/2013 House—Conference Committee Report was adopted; Yea: 75 Nay: 44—HJ 650
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

H 2010 Bill by Representative Finney

Business entities; restricting the use of an acquired entity's name by an acquiring entity.

01/11/2013 House—Prefiled for Introduction on Friday, January 11, 2013—HJ 47
 01/14/2013 House—Introduced—HJ 47
 01/14/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 48

H 2011 Bill by Legislative Educational Planning

Senate Substitute for HB 2011 by Committee on Transportation – Educational institution motorcycle license plates; transferability of certain plates.

01/14/2013 House—Introduced—HJ 47

HISTORY OF BILLS

01/14/2013 House—Referred to Committee on Transportation—HJ 51
 01/23/2013 House—Hearing: Tuesday, January 29, 2013, 1:30 PM Room 582-N
 02/08/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Transportation—HJ 173
 02/13/2013 House—Committee of the Whole - Be passed as amended—HJ 200
 02/14/2013 House—Final Action - Passed as amended; Yea: 109 Nay: 14—HJ 214
 02/14/2013 Senate—Received and Introduced—SJ 153
 02/15/2013 Senate—Referred to Committee on Transportation—SJ 157
 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 8:30 AM Room 546-S
 03/19/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Transportation—SJ 333
 03/25/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 397
 03/26/2013 Senate—Final Action - Substitute passed; Yea: 38 Nay: 1—SJ 429
 04/02/2013 House—Concurred with amendments; Yea: 118 Nay: 4—HJ 606
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
 HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2012 Bill by Judiciary**Legislative review of exceptions to disclosure of public records.**

01/16/2013 House—Introduced—HJ 59
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Thursday, January 24, 2013, 3:30 PM Room 112-N
 02/25/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 263
 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293
 02/28/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 297
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 243
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 144-S
 03/19/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Federal and State Affairs—SJ 306
 03/20/2013 Senate—Withdrawn from Consent Calendar and placed on General Orders
 —SJ 339
 03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395
 03/26/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 429
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
 HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2013 Bill by Judiciary**Amending the crime of perjury.**

01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 81
 01/25/2013 House—Hearing: Tuesday, January 29, 2013, 1:30 PM Room 152-S
 02/05/2013 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Corrections and Juvenile Justice—HJ
 145
 02/08/2013 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 169

02/11/2013 Senate—Received and Introduced—SJ 137
 02/12/2013 Senate—Referred to Committee on Judiciary—SJ 140
 02/28/2013 Senate—Hearing: Wednesday, March 06, 2013, 10:30 AM Room 346-S
 03/07/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Judiciary—SJ 250
 03/13/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 268
 03/19/2013 House—Enrolled and presented to Governor on Tuesday, March 19, 2013
 —HJ 439
 03/28/2013 House—Approved by Governor on Thursday, 28 March 2013—HJ 591

H 2014 Bill by Judiciary**Revoking an ex-spouse's inheritance rights upon divorce.**

01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/23/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 112-N
 02/15/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 225
 02/20/2013 House—Committee of the Whole - Be passed as amended—HJ 250
 02/25/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 259
 02/25/2013 Senate—Received and Introduced—SJ 196
 02/26/2013 Senate—Referred to Committee on Judiciary—SJ 197
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 345

H 2015 Bill by Judiciary**Domestic relations; relating to marital property.**

01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/23/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 112-N
 02/07/2013 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 166
 02/11/2013 House—Committee of the Whole - Be passed—HJ 181
 02/12/2013 House—Final Action - Passed; Yea: 116 Nay: 8—HJ 187
 02/12/2013 Senate—Received and Introduced—SJ 140
 02/13/2013 Senate—Referred to Committee on Judiciary—SJ 143
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 346
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 2—
 SJ 379
 03/25/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kinzer, Representative Bruchman and
 Representative Pauls as conferees—HJ 512
 03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and
 Senator Haley appointed as conferees—SJ 394
 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ
 776
 05/10/2013 House—Conference Committee Report was adopted; Yea: 117 Nay: 4—HJ

946

05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—
HJ 1010

05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2016 Bill by Judiciary**Relating to reassignment of judge of the district court positions.**

01/16/2013 House—Introduced—HJ 60

01/17/2013 House—Referred to Committee on Judiciary—HJ 81

01/30/2013 House—Hearing: Thursday, February 07, 2013, 3:30 PM Room 112-N

H 2017 Bill by Judiciary**Substitute HB 2017 by Committee on Judiciary--Relating to appeals from municipal court.**

01/16/2013 House—Introduced—HJ 60

01/17/2013 House—Referred to Committee on Judiciary—HJ 81

01/23/2013 House—Hearing: Wednesday, January 30, 2013, 3:30 PM Room 112-N

02/15/2013 House—Committee Report recommending substitute bill be passed by
Committee on Judiciary—HJ 225

02/27/2013 House—Committee of the Whole - Substitute bill be passed—HJ 293

02/28/2013 House—Final Action - Substitute passed; Yea: 122 Nay: 2—HJ 298

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Judiciary—SJ 243

03/06/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 346-S

03/19/2013 Senate—Committee Report recommending bill be passed as amended by
Committee on Judiciary—SJ 309

03/21/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—
SJ 379

03/21/2013 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40
Nay: 0—SJ 379

03/25/2013 House—Nonconcurrent with amendments; Conference Committee
requested; appointed Representative Kinzer, Representative Bruchman and
Representative Pauls as conferees—HJ 512

03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and
Senator Haley appointed as conferees—SJ 394

04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ
595

04/05/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—
HJ 822

04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
HJ 883

04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2018 Bill by Judiciary**Credit card surcharge exemption for certain educational institutions.**

01/16/2013 House—Introduced—HJ 60

01/17/2013 House—Referred to Committee on Education Budget—HJ 81

H 2019 Bill by Judiciary**Court of appeals judges; appointment by the governor, confirmation by the**

senate.

- 01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N
 02/26/2013 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 279
 02/28/2013 House—Committee of the Whole - Be passed Yea: 68 Nay: 54—HJ 309
 03/01/2013 House—Final Action - Passed; Yea: 73 Nay: 50—HJ 322
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee of the Whole—SJ 248
 03/12/2013 Senate—Committee of the Whole - Be passed—SJ 263
 03/13/2013 Senate—Final Action - Passed; Yea: 28 Nay: 12—SJ 268
 03/19/2013 House—Enrolled and presented to Governor on Tuesday, March 19, 2013—HJ 439
 03/27/2013 House—Approved by Governor on Wednesday, 27 March 2013

H 2020 Bill by Judiciary**Court of appeals judges; direct partisan election.**

- 01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N

H 2021 Bill by Legislative Educational Planning**Authorizing the sale or exchange of Emporia State University property.**

- 01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on General Government Budget—HJ 81
 01/24/2013 House—Withdrawn from Committee on General Government Budget; Referred to Committee on Education Budget—HJ 102
 01/25/2013 House—Hearing: Wednesday, January 30, 2013, 3:30 PM Room 281-N
 01/31/2013 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 129
 02/27/2013 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 294

H 2022 Bill by Commerce, Labor and Economic Development**Senate Substitute for HB 2022 by Committee on Commerce concerning employees -- relating to certain employee organizations; political activities; certain deductions from wages.**

- 01/17/2013 House—Introduced—HJ 76
 01/18/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 83
 01/18/2013 House—Hearing: Tuesday, January 22, 2013, 1:30 PM Room 346-S
 01/28/2013 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 110
 01/31/2013 House—Committee of the Whole - Be passed—HJ 129
 02/04/2013 House—Final Action - Passed; Yea: 91 Nay: 29—HJ 143
 02/04/2013 Senate—Received and Introduced—SJ 109
 02/05/2013 Senate—Referred to Committee on Commerce—SJ 111
 02/08/2013 Senate—Hearing: Wednesday, February 13, 2013, 8:30 AM Room 548-S
 03/12/2013 Senate—Committee Report recommending substitute bill be passed by

- Committee on Commerce—SJ 263
- 03/14/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 295
- 03/14/2013 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 16—SJ 296
- 03/19/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Frownfelter as conferees—HJ 438
- 03/19/2013 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 337
- 03/19/2013 House—Concurred with amendments in conference; Yea: 68 Nay: 54—HJ 425
- 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013—HJ 532
- 04/01/2013 House—Approved by Governor on Monday, 01 April 2013

H 2023 Bill by Commerce, Labor and Economic Development

Certain deductions from wages authorized.

- 01/17/2013 House—Introduced—HJ 76
- 01/18/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 83
- 01/18/2013 House—Hearing: Wednesday, January 23, 2013, 1:30 PM Room 346-S
- 01/28/2013 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 110
- 01/30/2013 House—Committee of the Whole - Be passed—HJ 117
- 01/31/2013 House—Final Action - Passed; Yea: 68 Nay: 56—HJ 127
- 01/31/2013 Senate—Received and Introduced—SJ 103
- 02/01/2013 Senate—Referred to Committee on Commerce—SJ 107
- 02/01/2013 Senate—Hearing: Tuesday, February 05, 2013, 8:30 AM Room 548-S
- 02/01/2013 Senate—Hearing: Wednesday, February 06, 2013, 8:30 AM Room 548-S

H 2024 Bill by Commerce, Labor and Economic Development

Substitute HB 2024 by Committee on Commerce, Labor and Economic Development- Kansas roofing registration act.

- 01/17/2013 House—Introduced—HJ 76
- 01/18/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 83
- 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 346-S
- 02/26/2013 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 271
- 02/28/2013 House—Committee of the Whole - Substitute bill be passed—HJ 310
- 03/01/2013 House—Final Action - Substitute passed; Yea: 106 Nay: 16—HJ 323
- 03/01/2013 Senate—Received and Introduced—SJ 243
- 03/07/2013 Senate—Referred to Committee on Commerce—SJ 248
- 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 8:30 AM Room 548-S
- 03/21/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 370
- 03/26/2013 Senate—Committee of the Whole - Be passed as amended—SJ 463
- 03/27/2013 Senate—Final Action - Substitute passed as amended; Yea: 33 Nay: 6—SJ 479

- 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Frownfelter as conferees—HJ 600
- 04/01/2013 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 495
- 04/03/2013 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 4—SJ 559
- 04/04/2013 House—Conference Committee Report was adopted; Yea: 100 Nay: 22—HJ 638
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/22/2013 House—Approved by Governor on Monday, 22 April 2013—HJ 881

H 2025 Bill by Health and Human Services

Establishing the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight.

- 01/17/2013 House—Introduced—HJ 77
- 01/18/2013 House—Referred to Committee on Health and Human Services—HJ 83
- 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 546-S
- 02/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 262
- 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 315
- 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 323
- 03/01/2013 Senate—Received and Introduced—SJ 243
- 03/07/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 248
- 03/08/2013 Senate—Hearing: Friday, March 15, 2013, 1:30 PM Room 118-N
- 03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 333
- 03/21/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 379
- 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 380
- 03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Crum, Representative Weber and Representative Ward as conferees—HJ 519
- 03/26/2013 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as conferees—SJ 424
- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 595
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 769
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2026 Bill by Judiciary

Requiring retailers to obtain identification from purchasers of pre-paid mobile communication devices.

- 01/17/2013 House—Introduced—HJ 77
- 01/18/2013 House—Referred to Committee on Utilities and Telecommunications—HJ 83

02/13/2013 House—Hearing: Monday, February 18, 2013, 9:00 AM Room 582-N

H 2027 Bill by Judiciary

Substitute HB 2027 by Committee on Commerce, Labor and Economic Development- Contract negotiations for certain professional employees.

01/17/2013 House—Introduced—HJ 77

01/18/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 83

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 346-S

02/26/2013 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 281

02/27/2013 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 285

02/28/2013 House—Withdrawn from Committee on Appropriations; Referred to Committee on Commerce, Labor and Economic Development—HJ 295

02/28/2013 House—Hearing: Wednesday, March 06, 2013, 1:30 PM Room 346-S

H 2028 Bill by Judiciary

Providing for venue in Shawnee County District Court in certain forfeiture proceedings

01/17/2013 House—Introduced—HJ 77

01/18/2013 House—Referred to Committee on Judiciary—HJ 83

01/23/2013 House—Hearing: Tuesday, January 29, 2013, 3:30 PM Room 112-N

02/01/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 136

02/07/2013 House—Committee of the Whole - Be passed as amended—HJ 165

02/08/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 1—HJ 170

02/11/2013 Senate—Received and Introduced—SJ 137

02/12/2013 Senate—Referred to Committee on Judiciary—SJ 140

03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 346-S

03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312

03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375

03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 380

03/25/2013 House—Concurred with amendments; Yea: 120 Nay: 0—HJ 512

04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—HJ 607

04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2029 Bill by Representative Ward

Relating to the HCBS I/DD waiver.

01/17/2013 House—Introduced—HJ 77

01/18/2013 House—Referred to Committee on Health and Human Services—HJ 83

02/18/2013 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Social Services Budget—HJ 231

02/18/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 144-S

H 2030 Bill by Agriculture and Natural Resources

Creating wounded warrior deer hunting permits for injured combat veterans.

01/17/2013 House—Introduced—HJ 77
 01/18/2013 House—Referred to Committee on Agriculture and Natural Resources—
 HJ 83
 01/23/2013 House—Hearing: Tuesday, January 29, 2013, 3:30 PM Room 346-S
 02/07/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Agriculture and Natural Resources—HJ 165
 02/14/2013 House—Committee of the Whole - Be passed as amended—HJ 216
 02/15/2013 House—Final Action - Passed as amended; Yea: 115 Nay: 0—HJ 223
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Natural Resources—SJ 166
 03/12/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S
 03/14/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S
 03/18/2013 Senate—Committee Report recommending bill be passed by Committee
 on Natural Resources—SJ 302
 03/20/2013 Senate—Committee of the Whole - Be passed—SJ 351
 03/21/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 365
 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013
 —HJ 532
 04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2031 Bill by Agriculture and Natural Resources

Distribution of sales and use tax revenue; funding streams to the state water plan fund.

01/17/2013 House—Introduced—HJ 77
 01/18/2013 House—Referred to Committee on Agriculture and Natural Resources—
 HJ 83

H 2032 Bill by Representative Ward

Relating to eligibility requirements for the Kansas program of medical assistance.

01/18/2013 House—Introduced—HJ 82
 01/22/2013 House—Referred to Committee on Social Services Budget—HJ 86
 02/07/2013 House—Withdrawn from Committee on Social Services Budget; Referred
 to Committee on Appropriations—HJ 167

H 2033 Bill by Federal and State Affairs

Concerning the regulation of knives.

01/18/2013 House—Introduced—HJ 82
 01/22/2013 House—Referred to Committee on Federal and State Affairs—HJ 86
 01/30/2013 House—Hearing: Wednesday, February 06, 2013, 9:00 AM Room 346-S
 02/26/2013 House—Committee Report recommending bill be passed by Committee on
 Federal and State Affairs—HJ 282
 03/06/2013 House—Committee of the Whole - Be passed—HJ 351
 03/07/2013 House—Final Action - Passed; Yea: 93 Nay: 28—HJ 353
 03/07/2013 Senate—Received and Introduced—SJ 248
 03/08/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 252
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 144-S
 03/20/2013 Senate—Committee Report recommending bill be passed by Committee
 on Federal and State Affairs—SJ 345
 03/26/2013 Senate—Committee of the Whole - Be passed as amended—SJ 464
 03/26/2013 Senate—Motion to Reconsider Adopted—SJ 464

- 03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 464
 03/27/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 479
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Siegfried, Representative Brunk and Representative Ruiz as conferees—HJ 600
 04/01/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 496
 04/01/2013 Senate—Senator Ostmeyer replaces Senator King on the Conference Committee—SJ 497
 04/01/2013 Senate—Senator Emler replaces Senator Smith on the Conference Committee—SJ 497
 04/01/2013 Senate—Senator Holland replaces Senator Haley on the Conference Committee—SJ 497
 04/02/2013 Senate—Senator Hawk replaces Senator Holland on the Conference Committee—SJ 509
 04/03/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 560
 04/04/2013 House—Conference Committee Report was adopted; Yea: 95 Nay: 26—HJ 651
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2034 Bill by Corrections and Juvenile Justice

Senate Substitute for HB 2034 by Committee on Judiciary - Human trafficking; crimes of commercial sexual exploitation of a child, selling sexual relations, promoting the sale of sexual relations and buying sexual relations; children in need of care; staff secure facilities.

- 01/18/2013 House—Introduced—HJ 82
 01/22/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 86
 01/23/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 152-S
 02/07/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 165
 02/11/2013 House—Committee of the Whole - Be passed as amended—HJ 181
 02/12/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 188
 02/12/2013 Senate—Received and Introduced—SJ 140
 02/13/2013 Senate—Referred to Committee on Judiciary—SJ 143
 02/28/2013 Senate—Hearing: Thursday, March 07, 2013, 10:30 AM Room 346-S
 03/22/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 384
 03/26/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 463
 03/27/2013 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 479
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Finney as conferees—HJ 602
 04/01/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 496
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 674

04/05/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—
HJ 768
04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
HJ 883
04/22/2013 House—Approved by Governor on Monday, 22 April 2013—HJ 881

H 2035 Bill by Representative Weber

Cities; experience requirements for plumbers, electricians and certain mechanical contractors.

01/18/2013 House—Introduced—HJ 83
01/22/2013 House—Referred to Committee on Local Government—HJ 86
01/23/2013 House—Hearing: Tuesday, January 29, 2013, 1:30 PM Room 281-N
02/11/2013 House—Committee Report recommending bill be passed by Committee on
Local Government—HJ 181
02/15/2013 House—Committee of the Whole - Be passed—HJ 225
02/18/2013 House—Final Action - Passed; Yea: 117 Nay: 2—HJ 231
02/18/2013 Senate—Received and Introduced—SJ 159
02/19/2013 Senate—Referred to Committee on Commerce—SJ 166

H 2036 Bill by Federal and State Affairs

Uniform consumer credit code and payday loans.

01/22/2013 House—Introduced—HJ 85
01/23/2013 House—Referred to Committee on Financial Institutions—HJ 97

H 2037 Bill by Federal and State Affairs

**Senate Substitute for HB 2037 by Committee on Federal and State Affairs --
Secretary of administration; duties of director of accounts and reports
transferred.**

01/22/2013 House—Introduced—HJ 85
01/23/2013 House—Referred to Committee on Federal and State Affairs—HJ 97
01/25/2013 House—Hearing: Thursday, January 31, 2013, 9:00 AM Room 346-S
02/05/2013 House—Committee Report recommending bill be passed by Committee on
Federal and State Affairs—HJ 145
03/19/2013 House—Committee of the Whole - Be passed—HJ 425
03/20/2013 House—Final Action - Passed; Yea: 120 Nay: 3—HJ 444
03/20/2013 Senate—Received and Introduced—SJ 339
03/21/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 364
04/05/2013 Senate—Committee Report recommending substitute bill be passed by
Committee on Federal and State Affairs—SJ 846

H 2038 Bill by Federal and State Affairs

Voter identification requirement.

01/22/2013 House—Introduced—HJ 85
01/23/2013 House—Referred to Committee on Elections—HJ 97

H 2039 Bill by Representative Ward

**Fair elections act; secretary of state; prohibitions of contributions to and
endorsement of other elected officials.**

01/22/2013 House—Introduced—HJ 85
01/23/2013 House—Referred to Committee on Elections—HJ 97

H 2040 Bill by Representative Ward**Relating to certain addresses to the legislature.**

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Judiciary—HJ 97

H 2041 Bill by Corrections and Juvenile Justice**Criminal history record information; definition; municipal court reporting; district court reporting.**

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 97

01/23/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 152-S

02/07/2013 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 165

02/12/2013 House—Committee of the Whole - Be passed—HJ 189

02/13/2013 House—Final Action - Passed; Yea: 119 Nay: 3—HJ 198

02/13/2013 Senate—Received and Introduced—SJ 144

02/14/2013 Senate—Referred to Committee on Judiciary—SJ 153

02/28/2013 Senate—Hearing: Thursday, March 07, 2013, 10:30 AM Room 346-S

03/12/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 263

03/19/2013 Senate—Committee of the Whole - Be passed—SJ 334

03/20/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 343

03/26/2013 House—Enrolled and presented to Governor on Tuesday, March 26, 2013—HJ 589

04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2042 Bill by Taxation**Appraisal of property for taxation purposes; appeals; changes.**

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Taxation—HJ 97

01/23/2013 House—Hearing: Monday, January 28, 2013, 3:30 PM Room 582-N

02/20/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 253

03/14/2013 House—Committee of the Whole - Be passed as amended—HJ 396

03/18/2013 House—Final Action - Passed as amended; Yea: 109 Nay: 12—HJ 408

03/18/2013 Senate—Received and Introduced—SJ 299

03/19/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 305

H 2043 Bill by Corrections and Juvenile Justice**Senate Substitute for HB 2043 by Committee on Judiciary - Duties, responsibilities and authority of the attorney general.**

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 97

01/23/2013 House—Hearing: Thursday, January 31, 2013, 1:30 PM Room 152-S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 272

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313

03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 324
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 346-S
 03/19/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 307
 03/25/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 397
 03/26/2013 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 429
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Finney as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 488
 04/03/2013 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 562
 04/04/2013 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 653
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2044 Bill by Corrections and Juvenile Justice

Increasing the penalty for a person who distributes a controlled substance that causes great bodily harm or death.

01/22/2013 House—Introduced—HJ 85
 01/23/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 97
 01/23/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 152-S
 02/20/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 251
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 309
 03/01/2013 House—Final Action - Passed as amended; Yea: 112 Nay: 11—HJ 324
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/07/2013 Senate—Hearing: Monday, March 11, 2013, 10:30 AM Room 346-S
 03/12/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 263
 03/19/2013 Senate—Committee of the Whole - Be passed—SJ 334
 03/20/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 343
 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013—HJ 532
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2045 Bill by Corrections and Juvenile Justice

Imposing school attendance and minimum grade point average requirements upon certain drivers.

01/22/2013 House—Introduced—HJ 85
 01/23/2013 House—Referred to Committee on Transportation—HJ 97

H 2046 Bill by Transportation

Golf Carts; speed limits

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Transportation—HJ 97

01/30/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 582-N

02/08/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 582-N

H 2047 Bill by Taxation**Requiring certain municipalities to vote to increase property tax revenues over previous year when such increase exceeds inflation; publication.**

01/22/2013 House—Introduced—HJ 85

01/23/2013 House—Referred to Committee on Taxation—HJ 97

01/23/2013 House—Hearing: Tuesday, January 29, 2013, 3:30 PM Room 582-N

02/06/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 154

03/20/2013 House—Committee of the Whole - Be passed as amended Yea: 63 Nay: 58—HJ 448

03/21/2013 House—Final Action - Passed as amended; Yea: 68 Nay: 53—HJ 464

03/21/2013 Senate—Received and Introduced—SJ 364

03/22/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 384

H 2048 Bill by Taxation**Sales tax exemption for purchase by and on behalf of Jackson county fair association.**

01/22/2013 House—Introduced—HJ 86

01/23/2013 House—Referred to Committee on Taxation—HJ 97

01/23/2013 House—Hearing: Wednesday, January 30, 2013, 3:30 PM Room 582-N

H 2049 Bill by Agriculture and Natural Resources**Kansas department of agriculture; increasing certain fees; concerning sunsets on various program fees.**

01/23/2013 House—Introduced—HJ 95

01/24/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 102

01/29/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 346-S

02/08/2013 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 171

02/26/2013 House—Committee of the Whole - Be passed as amended—HJ 271

02/27/2013 House—Final Action - Passed as amended; Yea: 77 Nay: 46—HJ 287

02/27/2013 Senate—Received and Introduced—SJ 202

02/28/2013 Senate—Referred to Committee on Agriculture—SJ 223

03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 159-S

03/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 344

03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375

03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 380

03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Hoffman and Representative Victors as conferees—HJ 512

03/25/2013 Senate—Motion to accede adopted; Senator Love, Senator Kerschen and

- Senator Francisco appointed as conferees—SJ 395
- 05/30/2013 Senate—Senator King replaces Senator Love on the Conference Committee—SJ 1013
- 05/30/2013 Senate—Senator Smith replaces Senator Kerschen on the Conference Committee—SJ 1013
- 05/30/2013 Senate—Senator Haley replaces Senator Francisco on the Conference Committee—SJ 1013
- 06/01/2013 House—Representative Kinzer replaces Representative Schwartz on the Conference Committee
- 06/01/2013 House—Representative Bruchman replaces Representative Hoffman on the Conference Committee
- 06/01/2013 House—Representative Pauls replaces Representative Victors on the Conference Committee
- 06/01/2013 Senate—Conference Committee Report agree to disagree adopted; Senator King, Senator Smith and Senator Haley appointed as second conferees—SJ 1047
- 06/01/2013 House—Conference Committee Report agree to disagree adopted; Representative Kinzer, Representative Bruchman and Representative Pauls appointed as second conferees
- 06/01/2013 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 13—SJ 1047
- 06/02/2013 House—Conference Committee Report not adopted; Yea: 45 Nay: 64

H 2050 Bill by Agriculture and Natural Resources

Agriculture; agricultural chemical registration; pesticide business liability insurance; repeal of the Kansas agricultural liming materials act.

- 01/23/2013 House—Introduced—HJ 95
- 01/24/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 102
- 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 346-S
- 02/15/2013 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 225
- 02/26/2013 House—Committee of the Whole - Be passed as amended—HJ 271
- 02/27/2013 House—Final Action - Passed as amended; Yea: 103 Nay: 20—HJ 287
- 02/27/2013 Senate—Received and Introduced—SJ 202
- 02/28/2013 Senate—Referred to Committee on Agriculture—SJ 223
- 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 8:30 AM Room 159-S

H 2051 Bill by Agriculture and Natural Resources

Senate Substitute for Substitute HB 2051 by Committee on Natural Resources – Limited transfer permits.

- 01/23/2013 House—Introduced—HJ 95
- 01/24/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 102
- 01/30/2013 House—Hearing: Thursday, February 07, 2013, 3:30 PM Room 346-S
- 02/19/2013 House—Committee Report recommending substitute bill be passed by Committee on Agriculture and Natural Resources—HJ 241
- 02/25/2013 House—Committee of the Whole - Substitute bill be passed—HJ 261
- 02/26/2013 House—Final Action - Substitute passed; Yea: 117 Nay: 2—HJ 268
- 02/26/2013 Senate—Received and Introduced—SJ 198

HISTORY OF BILLS

- 02/27/2013 Senate—Referred to Committee on Natural Resources—SJ 201
 03/06/2013 Senate—Hearing: Thursday, March 14, 2013, 8:30 AM Room 159-S
 03/25/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 403
 03/26/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 463
 03/27/2013 Senate—Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 479
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Hoffman and Representative Victors as conferees—HJ 601
 04/01/2013 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 496

H 2052 Bill by Federal and State Affairs

**Senate Substitute for HB 2052 by Committee on Federal and State Affairs --
 Concerning firearms; personal and family protection act; concealed
 handguns in public building; other changes; unlawful discharge of a
 firearm inside city.**

- 01/23/2013 House—Introduced—HJ 95
 01/24/2013 House—Referred to Committee on Federal and State Affairs—HJ 102
 01/30/2013 House—Hearing: Thursday, February 07, 2013, 9:00 AM Room 346-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 282
 03/13/2013 House—Committee of the Whole - Be passed as amended—HJ 384
 03/14/2013 House—Final Action - Passed as amended; Yea: 121 Nay: 2—HJ 393
 03/14/2013 Senate—Received and Introduced—SJ 291
 03/15/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 297
 03/18/2013 Senate—Hearing: Thursday, March 21, 2013, 10:30 AM Room 144-S
 03/25/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 399
 03/26/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 474
 03/27/2013 Senate—Final Action - Substitute passed as amended; Yea: 35 Nay: 5—SJ 480
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Siegfried, Representative Brunk and Representative Ruiz as conferees—HJ 600
 04/01/2013 Senate—Motion to accede adopted; Senator Ostmeier, Senator Emler and Senator Faust-Goudeau appointed as conferees—SJ 496
 04/02/2013 Senate—Senator Hawk replaces Senator Faust-Goudeau on the Conference Committee—SJ 514
 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 7—SJ 743
 04/05/2013 House—Conference Committee Report was adopted; Yea: 104 Nay: 16—HJ 876
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2053 Bill by Federal and State Affairs

Amendments pertaining to the board of technical professions.

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

01/23/2013 House—Introduced—HJ 95
 01/24/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 102

H 2054 Bill by Federal and State Affairs

Community defense act; sexually oriented businesses.

01/23/2013 House—Introduced—HJ 95
 01/24/2013 House—Referred to Committee on Federal and State Affairs—HJ 102
 02/05/2013 House—Hearing: Thursday, February 14, 2013, 9:00 AM Room 346-S

H 2055 Bill by Federal and State Affairs

**Senate Substitute for HB 2055 by Committee on Federal and State Affairs -
 Concerning racetrack gaming facilities; abolished.**

01/23/2013 House—Introduced—HJ 95
 01/24/2013 House—Referred to Committee on Federal and State Affairs—HJ 102
 02/20/2013 House—Hearing: Monday, February 25, 2013, 9:00 AM Room 346-S
 03/07/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Federal and State Affairs—HJ 356
 03/13/2013 House—Committee of the Whole - Be passed as amended—HJ 386
 03/14/2013 House—Final Action - Passed as amended; Yea: 84 Nay: 38—HJ 393
 03/14/2013 Senate—Received and Introduced—SJ 291
 03/15/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 297
 03/26/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Federal and State Affairs—SJ 462
 04/02/2013 Senate—Motion to lay on the table. Motion failed.—SJ 530
 04/02/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—
 SJ 516
 04/02/2013 Senate—Emergency Final Action - Substitute not passed; Yea: 15 Nay: 24
 —SJ 532

H 2056 Bill by Taxation

**Permitted use of tax information in certain tax actions and proceedings, and tax
 liens upon personal property.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Taxation—HJ 102
 01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 582-N
 03/25/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Taxation—HJ 529

H 2057 Bill by Taxation

**Concerning property taxation; relating to county appraisers; appointing interim
 appraiser.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Taxation—HJ 102
 01/30/2013 House—Hearing: Tuesday, February 05, 2013, 3:30 PM Room 582-N
 02/12/2013 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Taxation—HJ 189
 02/13/2013 House—Withdrawn from Consent Calendar and placed on General Orders
 —HJ 198
 03/25/2013 House—Committee of the Whole - Be passed—HJ 514

03/26/2013 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 537
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 477

H 2058 Bill by Taxation**Taxation of helium and certain other gases under mineral severance tax, and prohibition of certain refunds related thereto.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Taxation—HJ 102
 01/28/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 582-N
 02/06/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 154
 03/14/2013 House—Committee of the Whole - Be passed—HJ 396
 03/18/2013 House—Final Action - Passed; Yea: 119 Nay: 2—HJ 409
 03/18/2013 Senate—Received and Introduced—SJ 299
 03/19/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 305

H 2059 Bill by Taxation**Income tax deductions and modifications and severance tax exemptions; basis of partner's interest and shareholder's stock; statutory clarification.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Taxation—HJ 102
 01/28/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 582-N
 02/06/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 154
 02/08/2013 House—Committee of the Whole - Be passed as amended—HJ 171
 02/11/2013 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 182
 02/11/2013 Senate—Received and Introduced—SJ 137
 02/12/2013 Senate—Referred to Committee of the Whole—SJ 139
 02/13/2013 Senate—Withdrawn from Calendar; Referred to Committee on Assessment and Taxation—SJ 143
 02/18/2013 Senate—Hearing: Wednesday, February 20, 2013, 9:30 AM Room 548-S
 02/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 177
 03/13/2013 Senate—Committee of the Whole - Request to Divide Question by Senator Pyle.—SJ 272
 03/13/2013 Senate—Committee of the Whole - Part 1 remains in the bill.—SJ 272
 03/13/2013 Senate—Committee of the Whole - Part 2 remains in the bill.—SJ 272
 03/13/2013 Senate—Committee of the Whole - Part 3 remains in the bill. Yea: 28 Nay: 8—SJ 272
 03/13/2013 Senate—Committee of the Whole - Part 4 remains in the bill. Yea: 30 Nay: 10—SJ 272
 03/13/2013 Senate—Committee of the Whole - Part 5 remains in the bill. Yea: 24 Nay: 10—SJ 273
 03/13/2013 Senate—Committee of the Whole - Part 6 remains in the bill.—SJ 273
 03/13/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 275
 03/14/2013 Senate—Final Action - Passed as amended; Yea: 25 Nay: 14—SJ 292
 03/21/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Carlson, Representative Schwab and Representative Sawyer as conferees—HJ 466

- 03/21/2013 Senate—Motion to accede adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as conferees—SJ 370
- 04/04/2013 House—Representative Menghini replaces Representative Sawyer on the Conference Committee—HJ 654
- 04/05/2013 House—Motion to concur with amendments in conference failed; Yea: 0 Nay: 120 (Remains in Conference)—HJ 831
- 05/21/2013 House—Representative Siegfried replaces Representative Schwab on the Conference Committee—HJ 1015
- 05/24/2013 Senate—Senator Bruce replaces Senator Donovan on the Conference Committee—SJ 1004
- 05/28/2013 House—Representative Schwab replaces Representative Siegfried on the Conference Committee—HJ 1042
- 06/01/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Tyson, Senator Bruce and Senator Holland appointed as second conferees—SJ 1019
- 06/01/2013 House—Conference Committee Report agree to disagree adopted; Representative Carlson, Representative Schwab and Representative Menghini appointed as second conferees
- 06/01/2013 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 13—SJ 1036
- 06/01/2013 House—Conference Committee Report was adopted; Yea: 69 Nay: 45
- 06/10/2013 House—Enrolled and presented to Governor on Monday, June 10, 2013
- 06/13/2013 House—Approved by Governor on Thursday, 13 June 2013

H 2060 Bill by Taxation

Sales tax, food sales tax refund, excluding certain confined persons; Homestead property tax refund, excluding certain confined persons, computation of refund; earned income credit.

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Taxation—HJ 102
- 01/28/2013 House—Hearing: Wednesday, January 30, 2013, 3:30 PM Room 582-N
- 02/04/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 143
- 02/06/2013 House—Committee of the Whole - Be passed as amended—HJ 154
- 02/07/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 165
- 02/07/2013 Senate—Received and Introduced—SJ 127
- 02/08/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 135
- 02/19/2013 Senate—Hearing: Thursday, February 21, 2013, 9:30 AM Room 548-S
- 02/20/2013 Senate—Hearing: Tuesday, February 26, 2013, 9:30 AM Room 548-S
- 02/26/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 198
- 02/27/2013 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 202
- 03/14/2013 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 290
- 03/26/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 434
- 04/01/2013 Senate—Committee of the Whole - Be passed as amended—SJ 501
- 04/02/2013 Senate—Final Action - Passed as amended; Yea: 25 Nay: 15—SJ 510
- 04/02/2013 House—Nonconcurrent with amendments; Conference Committee

- requested; appointed Representative Carlson, Representative Schwab and Representative Sawyer as conferees—HJ 607
- 04/02/2013 Senate—Motion to accede adopted; Senator Donovan, Senator Tyson and Senator Holland appointed as conferees—SJ 533
- 04/04/2013 House—Representative Menghini replaces Representative Sawyer on the Conference Committee—HJ 654
- 05/22/2013 House—Representative Siegfried replaces Representative Schwab on the Conference Committee—HJ 1030
- 05/24/2013 Senate—Senator Bruce replaces Senator Donovan on the Conference Committee—SJ 1004
- 05/28/2013 House—Representative Schwab replaces Representative Siegfried on the Conference Committee—HJ 1042

H 2061 Bill by Taxation**Determination of Kansas adjusted gross income for certain subchapter S corporations.**

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Taxation—HJ 102
- 01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 582-N

H 2062 Bill by Representative Sloan**Fire districts; multiple counties; detachment procedures.**

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Local Government—HJ 102
- 01/25/2013 House—Hearing: Tuesday, January 29, 2013, 1:30 PM Room 281-N

H 2063 Bill by Representatives Whipple, Edwards, Bradford, Christmann, DeGraaf, Hermanson, Howell, Osterman**Income tax credit for property taxes paid on homestead damaged by natural disaster.**

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Taxation—HJ 102
- 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 582-N

H 2064 Bill by Corrections and Juvenile Justice**Law enforcement agency payment rate to health care providers for persons in custody.**

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 102
- 01/30/2013 House—Hearing: Thursday, February 07, 2013, 1:30 PM Room 152-S

H 2065 Bill by Corrections and Juvenile Justice**Relating to the crime of home improvement fraud.**

- 01/23/2013 House—Introduced—HJ 96
- 01/24/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 102
- 01/25/2013 House—Hearing: Thursday, January 31, 2013, 1:30 PM Room 152-S
- 02/08/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 173

02/12/2013 House—Committee of the Whole - Be passed as amended—HJ 189
 02/13/2013 House—Final Action - Passed as amended; Yea: 106 Nay: 16—HJ 198
 02/13/2013 Senate—Received and Introduced—SJ 144
 02/14/2013 Senate—Referred to Committee on Judiciary—SJ 153
 03/06/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 346-S

H 2066 Bill by Health and Human Services**Physical therapists; evaluation and treatment of patients.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Health and Human Services—HJ 102
 01/25/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 546-S
 02/07/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Health and Human Services—HJ 165
 02/14/2013 House—Committee of the Whole - Be passed as amended—HJ 216
 02/15/2013 House—Final Action - Passed as amended; Yea: 98 Nay: 16—HJ 223
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 166
 03/07/2013 Senate—Committee Report recommending bill be passed by Committee
 on Public Health and Welfare—SJ 250
 03/12/2013 Senate—Committee of the Whole - Be passed—SJ 263
 03/13/2013 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 269
 03/19/2013 House—Enrolled and presented to Governor on Tuesday, March 19, 2013
 —HJ 439
 03/28/2013 House—Approved by Governor on Thursday, 28 March 2013—HJ 591

H 2067 Bill by Health and Human Services**Board of nursing; assistant attorneys general.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Health and Human Services—HJ 102
 02/06/2013 House—Committee Report recommending bill be passed by Committee on
 Health and Human Services—HJ 154
 02/08/2013 House—Committee of the Whole - Be passed—HJ 171
 02/11/2013 House—Final Action - Passed; Yea: 123 Nay: 1—HJ 182
 02/11/2013 Senate—Received and Introduced—SJ 137
 02/12/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 140
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 1:30 PM Room 118-N
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee
 on Public Health and Welfare—SJ 371

H 2068 Bill by Health and Human Services**Kansas death with dignity act.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Health and Human Services—HJ 102

H 2069 Bill by Commerce, Labor and Economic Development**Public policy; certain city ordinances and county resolutions declared void.**

01/23/2013 House—Introduced—HJ 96
 01/24/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 102
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 1:30 PM Room 346-S

- 02/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 235
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310
 03/01/2013 House—Final Action - Passed as amended; Yea: 92 Nay: 31—HJ 325
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Commerce—SJ 248
 03/08/2013 Senate—Hearing: Tuesday, March 12, 2013, 8:30 AM Room 548-S
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 9:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 370
 03/27/2013 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 477
 04/01/2013 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 493
 04/02/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 514
 04/02/2013 Senate—Emergency Final Action - Passed as amended; Yea: 31 Nay: 9—SJ 531
 04/03/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Frownfelter as conferees—HJ 625
 04/04/2013 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 572
 04/05/2013 House—Concurred with amendments in conference; Yea: 88 Nay: 32—HJ 830
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2070 Bill by Judiciary**Appearance bond conditions; surety and bounty hunter regulation.**

- 01/23/2013 House—Introduced—HJ 97
 01/24/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 102
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 282
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 312
 03/01/2013 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 325
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248

H 2071 Bill by Legislative Educational Planning**Exchange of real estate by the university of Kansas and the Kansas university endowment association.**

- 01/23/2013 House—Introduced—HJ 97
 01/24/2013 House—Referred to Committee on Education Budget—HJ 102
 01/25/2013 House—Hearing: Wednesday, January 30, 2013, 3:30 PM Room 281-N
 01/31/2013 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 129
 02/28/2013 House—Withdrawn from Calendar; Referred to Committee on

Appropriations—HJ 318

H 2072 Bill by Local Government**Municipalities; solid waste collection; limitations.**

01/23/2013 House—Introduced—HJ 97

01/24/2013 House—Referred to Committee on Local Government—HJ 102

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 281-N

H 2073 Bill by Local Government**Streams, dams and obstructions; chief engineer, division of water resources duties; counties, authority.**

01/23/2013 House—Introduced—HJ 97

01/24/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 102

01/30/2013 House—Hearing: Thursday, February 07, 2013, 3:30 PM Room 346-S

H 2074 Bill by Local Government**Cities and counties; solid waste disposal areas; restrictions.**

01/23/2013 House—Introduced—HJ 97

01/24/2013 House—Referred to Committee on Local Government—HJ 102

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 281-N

02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 292

03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341

03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 102 Nay: 19—HJ 345

03/06/2013 Senate—Received and Introduced—SJ 246

03/07/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 248

H 2075 Bill by Local Government**Cities; qualifications and rehabilitation of abandoned property.**

01/23/2013 House—Introduced—HJ 97

01/24/2013 House—Referred to Committee on Local Government—HJ 102

01/30/2013 House—Hearing: Thursday, February 07, 2013, 1:30 PM Room 281-N

02/15/2013 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 226

02/26/2013 House—Committee of the Whole - Be passed as amended—HJ 271

02/27/2013 House—Final Action - Passed as amended; Yea: 72 Nay: 51—HJ 288

02/27/2013 Senate—Received and Introduced—SJ 202

02/28/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 223

H 2076 Bill by Veterans, Military and Homeland Security**Hunting and fishing licenses; exemptions for disabled veterans.**

01/23/2013 House—Introduced—HJ 97

01/24/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 102

01/29/2013 House—Hearing: Tuesday, January 29, 2013, 3:30 PM Room 346-S

H 2077 Bill by Veterans, Military and Homeland Security**Senate Substitute for HB 2077 - by Committee on Federal and State Affairs concerning alcoholic beverages; club and drinking establishments; samples; employees; other.**

- 01/23/2013 House—Introduced—HJ 97
 01/24/2013 House—Referred separately to Committee on Veterans, Military and Homeland Security and Committee on Commerce, Labor and Economic Development—HJ 102
 01/25/2013 House—Hearing: Thursday, January 31, 2013, 9:00 AM Room 152-S
 02/08/2013 House—Withdrawn from Committee on Commerce, Labor and Economic Development, remains in Committee on Veterans, Military and Homeland Security. Committee on Veterans, Military and Homeland Security—HJ 176
 02/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 203
 02/25/2013 House—Committee of the Whole - Be passed as amended—HJ 260
 02/26/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 268
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 201
 02/28/2013 Senate—Hearing: Thursday, March 07, 2013, 10:30 AM Room 144-S
 03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 306
 03/21/2013 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 364
 03/26/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 463

H 2078 Bill by Veterans, Military and Homeland Security**Authorizing certain licensing boards to accept education, training or experience of military service members towards obtaining licensure in this state**

- 01/23/2013 House—Introduced—HJ 97
 01/24/2013 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 102
 01/25/2013 House—Hearing: Thursday, January 31, 2013, 9:00 AM Room 152-S
 02/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 204
 02/25/2013 House—Committee of the Whole - Be passed as amended—HJ 260
 02/26/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 269
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 201
 02/28/2013 Senate—Hearing: Thursday, March 07, 2013, 1:30 PM Room 118-N
 03/13/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 271
 03/20/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 353
 03/21/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 365
 03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Goico, Representative Seiwert and Representative Meier as conferees—HJ 520
 03/26/2013 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as conferees—SJ 424
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ

578

- 04/05/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 675
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2079 Bill by Transportation**Increasing penalties for certain right-of-way violations.**

- 01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Transportation—HJ 106
 01/30/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 582-N

H 2080 Bill by Corrections and Juvenile Justice**Amending the crime of burglary to include intent to commit various domestic offenses.**

- 01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 106
 01/28/2013 House—Hearing: Thursday, January 31, 2013, 1:30 PM Room 152-S

H 2081 Bill by Corrections and Juvenile Justice**Forfeiture of property related to violations of certain criminal acts.**

- 01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Judiciary—HJ 106
 01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 112-N
 02/07/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 166
 02/11/2013 House—Committee of the Whole - Be passed as amended—HJ 181
 02/12/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 188
 02/12/2013 Senate—Received and Introduced—SJ 140
 02/13/2013 Senate—Referred to Committee on Judiciary—SJ 143
 02/28/2013 Senate—Hearing: Wednesday, March 06, 2013, 10:30 AM Room 346-S
 03/07/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 250
 03/13/2013 Senate—Committee of the Whole - Be passed as amended—SJ 272
 03/14/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 294
 03/19/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kinzer, Representative Bruchman and Representative Pauls as conferees—HJ 425
 03/19/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 337
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 680
 05/10/2013 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 932
 05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—HJ 1010
 05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2082 Bill by Federal and State Affairs**Racial profiling data collection and reporting requirements.**

01/24/2013 House—Introduced—HJ 101

01/25/2013 House—Referred to Committee on Federal and State Affairs—HJ 106

H 2083 Bill by Commerce, Labor and Economic Development**Public employees relations board; assessment of certain costs.**

01/24/2013 House—Introduced—HJ 101

01/25/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 106

01/28/2013 House—Hearing: Monday, January 28, 2013, 1:30 PM Room 346-S

02/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 236

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310

03/01/2013 House—Final Action - Passed as amended; Yea: 87 Nay: 36—HJ 326

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Commerce—SJ 248

03/08/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 548-S

03/19/2013 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 306

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 33 Nay: 7—SJ 480

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2084 Bill by Commerce, Labor and Economic Development**Tax credits for community services contributions; youth apprenticeship and entrepreneurship.**

01/24/2013 House—Introduced—HJ 101

01/25/2013 House—Referred to Committee on Taxation—HJ 106

01/25/2013 House—Withdrawn from Committee on Taxation; Referred to Committee on Commerce, Labor and Economic Development—HJ 106

02/06/2013 House—Hearing: Monday, February 11, 2013, 1:30 PM Room 346-S

02/14/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 216

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 312

03/01/2013 House—Final Action - Passed as amended; Yea: 120 Nay: 3—HJ 326

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 248

03/15/2013 Senate—Hearing: Wednesday, March 20, 2013, 9:30 AM Room 548-S

03/26/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 436

05/23/2013 Senate—Motion to Amend - previous amendment offered by Senator Tyson—SJ 938

05/23/2013 Senate—Committee of the Whole – Senator Hensley requested the motion to amend by Senator Tyson be divided. The amendment was ruled divisible and divided into two parts.—SJ 938

05/23/2013 Senate—Committee of the Whole – Senator Tyson offered Amendment part1 Adopted. Yea: 39 Nay: 0—SJ 938

05/23/2013 Senate—Committee of the Whole – Senator Tyson offered Amendment part2 Adopted.—SJ 938
 05/23/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 967
 05/23/2013 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 15—SJ 999

H 2085 Bill by Commerce, Labor and Economic Development

Contract negotiations for certain professional employees.

01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 106
 01/28/2013 House—Hearing: Tuesday, January 29, 2013, 1:30 PM Room 346-S

H 2086 Bill by Commerce, Labor and Economic Development

Eligible infrastructure costs for tax increment financing and community improvement districts; bond repayment tax revenue pledge requirements.

01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Taxation—HJ 106
 02/11/2013 House—Withdrawn from Committee on Taxation; Referred to Committee on Commerce, Labor and Economic Development—HJ 179
 02/22/2013 House—Hearing: Tuesday, February 26, 2013, 12:15 PM Room 346-S
 02/26/2013 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 281
 03/14/2013 House—Committee of the Whole - Be passed—HJ 396
 03/18/2013 House—Final Action - Not passed; Yea: 61 Nay: 60—HJ 409
 03/19/2013 House—Motion to Reconsider Adopted—HJ 437
 03/19/2013 House—Final Action - Passed; Yea: 81 Nay: 41—HJ 437
 03/20/2013 Senate—Received and Introduced—SJ 339
 03/21/2013 Senate—Referred to Committee on Commerce—SJ 364

H 2087 Bill by Commerce, Labor and Economic Development

Extending PEAK benefit term for companies with agreements entered into prior to 2013.

01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 106

H 2088 Bill by Appropriations

Supplemental appropriations for FY 2012, FY 2013 and FY 2014 for various state agencies.

01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Appropriations—HJ 106

H 2089 Bill by Local Government

Preservation of historic properties; cities and counties.

01/24/2013 House—Introduced—HJ 101
 01/25/2013 House—Referred to Committee on Local Government—HJ 106
 01/30/2013 House—Hearing: Tuesday, February 05, 2013, 1:30 PM Room 281-N

- H 2090** Bill by Agriculture and Natural Resources
Establishing the Kansas equine education and promotion board.
 01/24/2013 House—Introduced—HJ 104
 01/25/2013 House—Referred to Committee on Agriculture and Natural Resources—
 HJ 106
- H 2091** Bill by Local Government
Publication of delinquent personal property tax statements.
 01/24/2013 House—Introduced—HJ 104
 01/25/2013 House—Referred to Committee on Taxation—HJ 106
 02/05/2013 House—Withdrawn from Committee on Taxation; Referred to Committee
 on Local Government—HJ 148
 02/25/2013 House—Hearing: Monday, February 25, 2013, 5:00 PM Room 281-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Local Government—HJ 279
 03/14/2013 House—Committee of the Whole - Be passed as amended—HJ 396
 03/18/2013 House—Final Action - Passed as amended; Yea: 81 Nay: 40—HJ 410
 03/18/2013 Senate—Received and Introduced—SJ 299
 03/19/2013 Senate—Referred to Committee on Ethics, Elections and Local
 Government—SJ 305
- H 2092** Bill by Vision 2020
Prohibiting employers from requiring employees to divulge social media content.
 01/24/2013 House—Introduced—HJ 104
 01/25/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 106
- H 2093** Bill by Vision 2020
**Senate Substitute for HB 2093 by Committee on Corrections and Juvenile Justice
 -- Identity theft and identity fraud; unlawful acts concerning
 computers; DNA testing and exculpatory evidence; murder in the first
 degree.**
 01/24/2013 House—Introduced—HJ 104
 01/25/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 106
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 1:30 PM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Corrections and Juvenile Justice—HJ 272
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313
 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 327
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/20/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Judiciary—SJ 345
 03/21/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 379
 03/21/2013 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—SJ
 381
 03/25/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Rubin, Representative Gonzalez and
 Representative Finney as conferees—HJ 521

- 03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 395
- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 684
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 118 Nay: 2—HJ 826
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2094 Bill by Vision 2020**Student electronic privacy at public and private postsecondary educational institutions.**

- 01/24/2013 House—Introduced—HJ 105
- 01/25/2013 House—Referred to Committee on Education—HJ 106
- 02/28/2013 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 318
- 03/01/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 319
- 03/01/2013 House—Hearing: Thursday, March 07, 2013, 1:30 PM Room 112-N
- 03/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 387
- 03/18/2013 House—Committee of the Whole - Be passed as amended—HJ 411
- 03/19/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 422
- 03/19/2013 Senate—Received and Introduced—SJ 306
- 03/20/2013 Senate—Referred to Committee on Education—SJ 338

H 2095 Bill by Elections**Government ethics commission; term limits.**

- 01/24/2013 House—Introduced—HJ 105
- 01/25/2013 House—Referred to Committee on Elections—HJ 106
- 02/01/2013 House—Hearing: Monday, February 04, 2013, 1:30 PM Room 281-N
- 02/12/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 189
- 02/28/2013 House—Withdrawn from Calendar, Rereferred to Committee on Elections—HJ 318

H 2096 Bill by Financial Institutions**Local governmental entities and investment of public moneys.**

- 01/24/2013 House—Introduced—HJ 105
- 01/25/2013 House—Referred to Committee on Financial Institutions—HJ 106
- 01/25/2013 House—Hearing: Thursday, January 31, 2013, 3:30 PM Room 152-S
- 02/11/2013 House—Committee Report recommending bill be passed by Committee on Financial Institutions—HJ 181
- 02/13/2013 House—Committee of the Whole - Be passed—HJ 200
- 02/14/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 215
- 02/14/2013 Senate—Received and Introduced—SJ 153
- 02/15/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 156
- 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 9:30 AM Room 546-S

03/12/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 263

03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 340

03/26/2013 House—Enrolled and presented to Governor on Tuesday, March 26, 2013—HJ 589

04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2097 Bill by Energy and Environment

Kansas electric transmission authority board members.

01/24/2013 House—Introduced—HJ 105

01/25/2013 House—Referred to Committee on Energy and Environment—HJ 106

H 2098 Bill by Federal and State Affairs

Personal and family protection act; licensure requirements for certain officers.

01/24/2013 House—Introduced—HJ 105

01/25/2013 House—Referred to Committee on Federal and State Affairs—HJ 106

H 2099 Bill by Insurance

Insurance- updating certain statutory references.

01/24/2013 House—Introduced—HJ 105

01/25/2013 House—Referred to Committee on Insurance—HJ 106

02/12/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 152-S

02/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 242

02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293

02/28/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 298

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 243

03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 9:30 AM Room 546-S

03/20/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 350

03/21/2013 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 364

04/03/2013 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 569

H 2100 Bill by Energy and Environment

Utilities and contracting for renewable energy.

01/24/2013 House—Introduced—HJ 105

01/25/2013 House—Referred to Committee on Energy and Environment—HJ 106

H 2101 Bill by Energy and Environment

Interstate transmission siting compact.

01/24/2013 House—Introduced—HJ 105

01/25/2013 House—Referred to Committee on Energy and Environment—HJ 106

02/12/2013 House—Hearing: Friday, February 15, 2013, 9:00 AM Room 582-N

02/26/2013 House—Withdrawn from Committee on Energy and Environment;

Referred to Committee on Appropriations—HJ 281
 02/27/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Energy and Environment—HJ 286
 03/21/2013 House—Committee Report recommending bill be passed as amended by Committee on Energy and Environment—HJ 467
 03/25/2013 House—Committee of the Whole - Be passed as amended—HJ 520
 03/26/2013 House—Final Action - Passed as amended; Yea: 118 Nay: 1—HJ 538
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Utilities—SJ 477

H 2102 Bill by Judiciary

Commission on judicial performance; sunset in 2017; docket fees reduced.

01/24/2013 House—Introduced—HJ 105
 01/25/2013 House—Referred to Committee on Judiciary—HJ 106
 02/13/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 112-N

H 2103 Bill by Taxation

Sales taxation; presumptions relating to nexus.

01/24/2013 House—Introduced—HJ 105
 01/25/2013 House—Referred to Committee on Taxation—HJ 106
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 582-N
 03/14/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 401

H 2104 Bill by Utilities and Telecommunications

Telecommunications; alternative technology and carrier of last resort.

01/24/2013 House—Introduced—HJ 105
 01/25/2013 House—Referred to Committee on Utilities and Telecommunications—HJ 106

H 2105 Bill by Commerce, Labor and Economic Development

Substitute HB 2105 by Committee on Commerce, Labor and Economic Development -- Employment security law.

01/28/2013 House—Introduced—HJ 107
 01/29/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 113
 02/01/2013 House—Hearing: Tuesday, February 05, 2013, 1:30 PM Room 346-S
 02/26/2013 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 272
 02/28/2013 House—Committee of the Whole - Substitute bill be passed—HJ 310
 03/01/2013 House—Final Action - Substitute passed; Yea: 88 Nay: 35—HJ 328
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Commerce—SJ 248
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 8:30 AM Room 548-S
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 8:30 AM Room 548-S
 03/25/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 398
 03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 464
 03/27/2013 Senate—Final Action - Substitute passed as amended; Yea: 30 Nay: 10—SJ 481

- 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kleeb, Representative Suellentrop and Representative Frownfelter as conferees—HJ 600
- 04/01/2013 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as conferees—SJ 496
- 04/03/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Lynn, Senator Wagle and Senator Holland appointed as second conferees—SJ 535
- 04/03/2013 House—Conference Committee Report agree to disagree adopted; Representative Kleeb, Representative Suellentrop and Representative Frownfelter appointed as second conferees—HJ 629
- 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 12—SJ 743
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 89 Nay: 31—HJ 869
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2106 Bill by Insurance**Portable electronics insurance act.**

- 01/28/2013 House—Introduced—HJ 107
- 01/29/2013 House—Referred to Committee on Insurance—HJ 113
- 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 152-S
- 02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance—HJ 217
- 02/19/2013 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 240
- 03/01/2013 House—Committee of the Whole - Be passed—HJ 341
- 03/01/2013 House—Emergency Final Action - Passed; Yea: 117 Nay: 4—HJ 342
- 03/06/2013 Senate—Received and Introduced—SJ 246
- 03/07/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 248
- 03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 9:30 AM Room 546-S
- 03/18/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 301
- 03/21/2013 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 364
- 03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463
- 03/27/2013 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 481
- 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
- 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2107 Bill by Insurance

Insurance; enacting the electronic notice and document act, return of premiums separate from the notice of adverse underwriting decision, statutory updates, uninsurable health plan increase in lifetime limit, mandate lite, certain company dividend plans.

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

- 01/28/2013 House—Introduced—HJ 107
 01/29/2013 House—Referred to Committee on Insurance—HJ 113
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Insurance—HJ 278
 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—
 HJ 343
 03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Financial Institutions and Insurance—
 SJ 248
 03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 9:30 AM Room 546-S
 03/20/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Financial Institutions and Insurance—SJ 347
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 430
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Shultz, Representative Hermanson and
 Representative Finney as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator Olson, Senator Longbine and
 Senator Hawk appointed as conferees—SJ 489
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ
 590
 04/05/2013 House—Conference Committee Report not adopted; Representative
 Shultz, Representative Hermanson and Representative Finney appointed as
 second conferees Yea: 68 Nay: 51—HJ 682
 04/05/2013 House—Motion to Reconsider Adopted—HJ 690
 04/05/2013 House—Conference Committee Report was adopted; Yea: 69 Nay: 50—
 HJ 690
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
 HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2108 Bill by Vision 2020**Kansas death with dignity act.**

- 01/28/2013 House—Introduced—HJ 107
 01/29/2013 House—Referred to Committee on Health and Human Services—HJ 113

H 2109 Bill by Representatives Cassidy, Goico, Meier, Alford, Ballard, Barker, Bradford, Bridges, Burroughs, Carlin, Clayton, DeGraaf, Dierks, Dove, Edwards, Ewy, Finch, Finney, Gonzalez, Grant, Hawkins, Henderson, Henry, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Howell, Johnson, Jones, Kelly, Kuether, Lane, Menghini, Montgomery, Moxley, O'Brien, Osterman, Pauls, Phillips, Rothlisberg, Ryckman Sr., Schroeder, Schwab, Seiwert, Siegfried, Sloan, Sloop, Thimesch, Victors, Ward, Waymaster, Weigel, Whipple, Wolfe Moore**Enacting the Kansas children's protection act.**

- 01/28/2013 House—Introduced—HJ 110
 01/29/2013 House—Referred to Committee on Education Budget—HJ 113
 01/30/2013 House—Hearing: Thursday, February 07, 2013, 3:30 PM Room 281-N

- 02/12/2013 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 189
- 02/28/2013 House—Committee of the Whole - Be passed—HJ 315
- 03/01/2013 House—Final Action - Passed; Yea: 104 Nay: 19—HJ 328
- 03/01/2013 Senate—Received and Introduced—SJ 243
- 03/07/2013 Senate—Referred to Committee on Education—SJ 248
- 03/08/2013 Senate—Hearing: Friday, March 15, 2013, 12:00 PM Room 144-S
- 03/19/2013 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 306
- 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 379
- 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 381
- 03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Cassidy, Representative Grosserode and Representative Winn as conferees—HJ 520
- 03/26/2013 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 424
- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 580
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 116 Nay: 2—HJ 684
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2110 Bill by Taxation**Retention of 6.3% sales tax rate, reduction in individual income tax rates and elimination of certain deductions.**

- 01/28/2013 House—Introduced—HJ 110
- 01/29/2013 House—Referred to Committee on Taxation—HJ 113
- 01/30/2013 House—Hearing: Wednesday, February 06, 2013, 3:30 PM Room 582-N

H 2111 Bill by Federal and State Affairs**Firearms; preemption of state law relating to the open carrying and transportation of firearms.**

- 01/28/2013 House—Introduced—HJ 111
- 01/29/2013 House—Referred to Committee on Federal and State Affairs—HJ 113
- 03/14/2013 House—Hearing: Thursday, March 21, 2013, 9:00 AM Room 346-S
- 03/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 514

H 2112 Bill by Elections**Campaign finance; transfer of campaign money to another candidacy.**

- 01/28/2013 House—Introduced—HJ 111
- 01/29/2013 House—Referred to Committee on Elections—HJ 113
- 01/30/2013 House—Hearing: Wednesday, January 30, 2013, 1:30 PM Room 281-N
- 02/14/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 217
- 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293
- 02/28/2013 House—Final Action - Passed as amended; Yea: 95 Nay: 29—HJ 299

02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Ethics, Elections and Local
 Government—SJ 243

H 2113 Bill by Judiciary

Relating to judges; authority of supreme court.

01/28/2013 House—Introduced—HJ 111
 01/29/2013 House—Referred to Committee on Judiciary—HJ 113
 01/30/2013 House—Hearing: Thursday, February 07, 2013, 3:30 PM Room 112-N

H 2114 Bill by Judiciary

Debt setoff; collection assistance fee.

01/28/2013 House—Introduced—HJ 111
 01/29/2013 House—Referred to Committee on Judiciary—HJ 113
 01/30/2013 House—Hearing: Tuesday, February 05, 2013, 3:30 PM Room 112-N
 02/07/2013 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 166
 02/12/2013 House—Committee of the Whole - Be passed—HJ 189
 02/13/2013 House—Final Action - Passed; Yea: 90 Nay: 32—HJ 199
 02/13/2013 Senate—Received and Introduced—SJ 144
 02/14/2013 Senate—Referred to Committee on Judiciary—SJ 153
 03/14/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 212-N
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 371

H 2115 Bill by Judiciary

Relating to the employment of retired judges and justices.

01/28/2013 House—Introduced—HJ 111
 01/29/2013 House—Referred to Committee on Judiciary—HJ 113
 01/30/2013 House—Hearing: Tuesday, February 05, 2013, 3:30 PM Room 112-N
 02/15/2013 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 225
 02/27/2013 House—Committee of the Whole - Be passed—HJ 291
 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 300
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Judiciary—SJ 243
 03/14/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 212-N
 03/21/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 371
 03/26/2013 Senate—Committee of the Whole - Be passed as amended—SJ 463
 03/27/2013 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 482
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kinzer, Representative Bruchman and
 Representative Pauls as conferees—HJ 601
 04/01/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and
 Senator Haley appointed as conferees—SJ 496
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ
 685
 05/14/2013 House—Conference Committee Report was adopted; Yea: 100 Nay: 13—
 HJ 983

05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—HJ 1010

05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2116 Bill by Judiciary

Civil procedure; electronic service of process.

01/28/2013 House—Introduced—HJ 111

01/29/2013 House—Referred to Committee on Judiciary—HJ 113

01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 112-N

H 2117 Bill by Judiciary

Relating to court fees and costs; judiciary technology fund.

01/28/2013 House—Introduced—HJ 111

01/29/2013 House—Referred to Committee on Judiciary—HJ 113

02/18/2013 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 231

02/25/2013 House—Hearing: Wednesday, February 27, 2013, 9:00 AM Room 112-N—HJ 261

H 2118 Bill by Local Government

Preservation of historic property; environs authority deleted.

01/28/2013 House—Introduced—HJ 111

01/29/2013 House—Referred to Committee on Local Government—HJ 113

01/30/2013 House—Hearing: Tuesday, February 05, 2013, 1:30 PM Room 281-N

02/15/2013 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 226

02/26/2013 House—Committee of the Whole - Be passed—HJ 271

02/27/2013 House—Final Action - Passed; Yea: 99 Nay: 24—HJ 288

02/27/2013 Senate—Received and Introduced—SJ 202

02/28/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 223

03/08/2013 Senate—Hearing: Tuesday, March 12, 2013, 9:30 AM Room 159-S

03/12/2013 Senate—Hearing: Thursday, March 14, 2013, 9:30 AM Room 159-S

03/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 345

H 2119 Bill by Veterans, Military and Homeland Security

Exemption from personal property taxes for motor vehicles of active guard and reservists.

01/29/2013 House—Introduced—HJ 112

01/30/2013 House—Referred to Committee on Taxation—HJ 117

H 2120 Bill by Corrections and Juvenile Justice

Updating provisions relating to DNA collection and DNA evidence; amending the definition of a bet for purposes of the Kansas criminal code; sentencing for possession of a firearm during a drug felony.

01/29/2013 House—Introduced—HJ 112

01/30/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 117

02/01/2013 House—Hearing: Thursday, February 07, 2013, 1:30 PM Room 152 S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 273
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313
 03/01/2013 House—Final Action - Passed as amended; Yea: 121 Nay: 2—HJ 329
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/07/2013 Senate—Hearing: Monday, March 11, 2013, 10:30 AM Room 346-S
 03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 307
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 381
 03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Finney as conferees—HJ 521
 03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 395
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 691
 05/09/2013 House—Conference Committee Report was adopted; Yea: 74 Nay: 49—HJ 892
 05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—HJ 1010
 05/23/2013 House—Vetoed by Governor; Returned to House on Thursday, May 23, 2013—HJ 1037
 06/02/2013 House—No motion to reconsider vetoed bill; Veto sustained

H 2121 Bill by Agriculture and Natural Resources**Imposing well spacing requirements for future points of diversion of water.**

01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 116
 02/08/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 346-S

H 2122 Bill by Commerce, Labor and Economic Development**Real estate brokers and salespersons; licensing requirements; sales transaction requirements.**

01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 116
 02/01/2013 House—Hearing: Thursday, February 07, 2013, 1:30 PM Room 346-S
 02/14/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 217
 02/18/2013 House—Committee of the Whole - Be passed as amended—HJ 235
 02/20/2013 House—Final Action - Passed as amended; Yea: 121 Nay: 1—HJ 246
 02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Commerce—SJ 195
 03/06/2013 Senate—Hearing: Thursday, March 14, 2013, 8:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 370

- H 2123** Bill by Commerce, Labor and Economic Development
Public Employee Freedom Act.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 116
- H 2124** Bill by Commerce, Labor and Economic Development
Employment security law; eligibility for certain benefits, abolish Employment Security Advisory Council, notice requirements.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 116
 02/01/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 346-S
- H 2125** Bill by General Government Budget
Increasing real estate broker's and salesperson's license fees.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 116
 02/14/2013 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 216
 02/18/2013 House—Committee of the Whole - Be passed—HJ 235
 02/20/2013 House—Final Action - Passed; Yea: 71 Nay: 50—HJ 246
 02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Commerce—SJ 195
 03/06/2013 Senate—Hearing: Thursday, March 14, 2013, 8:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 370
- H 2126** Bill by Insurance
Combining life insurance with certain additional riders such as specified illness, hospital indemnity or other fixed indemnity.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Insurance—HJ 117
 02/13/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 152-S
 02/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 263
 03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351
- H 2127** Bill by Vision 2020
Pharmacy technicians; requirements for registration.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Health and Human Services—HJ 117
- H 2128** Bill by Representative Sloan
Open records act; exceptions.
 01/29/2013 House—Introduced—HJ 113
 01/30/2013 House—Referred to Committee on Judiciary—HJ 117
 01/30/2013 House—Hearing: Monday, February 04, 2013, 3:30 PM Room 112-N

- 02/15/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 226
- 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293
- 02/28/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 300
- 02/28/2013 Senate—Received and Introduced—SJ 231
- 03/01/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 243
- 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 144-S
- 03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 306
- 03/25/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 398
- 03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 430
- 03/26/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kinzer, Representative Bruchman and Representative Pauls as conferees—HJ 586
- 03/27/2013 Senate—Motion to accede adopted; Senator Ostmeyer, Senator Emler and Senator Faust-Goudeau appointed as conferees—SJ 489
- 04/03/2013 House—Concurred with amendments in conference; Yea: 119 Nay: 0—HJ 610
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2129 Bill by Elections**County treasurers; term of office starting date.**

- 01/30/2013 House—Introduced—HJ 116
- 01/31/2013 House—Referred to Committee on Local Government—HJ 126
- 02/01/2013 House—Withdrawn from Committee on Local Government; Referred to Committee on Elections—HJ 136
- 02/06/2013 House—Hearing: Monday, February 11, 2013, 1:30 PM Room 281-N
- 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 273
- 02/28/2013 House—Withdrawn from Calendar, Rereferred to Committee on Elections—HJ 318
- 03/01/2013 House—Withdrawn from Committee on Elections; Referred to Committee on Appropriations—HJ 349
- 03/06/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 351

H 2130 Bill by Elections**Elections; petition circulators.**

- 01/30/2013 House—Introduced—HJ 116
- 01/31/2013 House—Referred to Committee on Elections—HJ 126
- 02/01/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 281-N
- 02/12/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Elections—HJ 189
- 02/18/2013 House—Final Action - Passed; Yea: 118 Nay: 1—HJ 232
- 02/18/2013 Senate—Received and Introduced—SJ 159
- 02/19/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 166
- 02/26/2013 Senate—Hearing: Wednesday, February 27, 2013, 9:30 AM Room 159-S

- H 2131** Bill by Children and Seniors
Eligibility of applicants for assistance to transportation systems.
 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Transportation—HJ 126
- H 2132** Bill by Veterans, Military and Homeland Security
Establishing the veterans benefit lottery game fund.
 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Federal and State Affairs—HJ 126
- H 2133** Bill by Veterans, Military and Homeland Security
Providing veterans designation on driver's licenses and nondriver identification cards.
 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Transportation—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 582-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 280
 03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351
- H 2134** Bill by Taxation
Property taxation; appeals of classification or valuation of property; protest payments.
 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Taxation—HJ 126
 02/27/2013 House—Hearing: Wednesday, March 06, 2013, 3:30 PM Room 582-N
 03/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 428
- H 2135** Bill by Taxation
Property tax exemption; military housing.
 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Taxation—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 582-N
 02/14/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 217
 03/14/2013 House—Committee of the Whole - Be passed—HJ 396
 03/18/2013 House—Final Action - Passed; Yea: 117 Nay: 4—HJ 411
 03/18/2013 Senate—Received and Introduced—SJ 299
 03/19/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 305
 03/20/2013 Senate—Hearing: Thursday, March 21, 2013, 9:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 370
 03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395
 03/26/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 430
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2136 Bill by Taxation**Sales and compensating use tax; distribution of revenues.**

01/30/2013 House—Introduced—HJ 116

01/31/2013 House—Referred to Committee on Taxation—HJ 126

02/06/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 582-N

H 2137 Bill by Taxation**Vehicle registration fees; T-works surcharge.**

01/30/2013 House—Introduced—HJ 116

01/31/2013 House—Referred to Committee on Transportation and Public Safety Budget—HJ 126

02/27/2013 House—Hearing: Wednesday, March 06, 2013, 3:30 PM Room 142-S

03/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation and Public Safety Budget—HJ 388

H 2138 Bill by General Government Budget**Repealing statutes related to oil and gas.**

01/30/2013 House—Introduced—HJ 116

01/31/2013 House—Referred to Committee on Utilities and Telecommunications—HJ 126

02/11/2013 House—Hearing: Wednesday, February 13, 2013, 9:00 AM Room 582-N

02/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Utilities and Telecommunications—HJ 236

02/25/2013 House—Committee of the Whole - Be passed as amended—HJ 260

02/26/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 269

02/26/2013 Senate—Received and Introduced—SJ 198

02/27/2013 Senate—Referred to Committee on Natural Resources—SJ 201

03/06/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S

03/12/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 159-S

03/13/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Natural Resources—SJ 271

03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 340

03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013—HJ 532

04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2139 Bill by General Government Budget**Canceled warrants.**

01/30/2013 House—Introduced—HJ 116

01/31/2013 House—Referred to Committee on Financial Institutions—HJ 126

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 152-S

02/15/2013 House—Committee Report recommending bill be passed by Committee on Financial Institutions—HJ 225

02/20/2013 House—Committee of the Whole - Referred to Committee on Financial Institutions—HJ 250

02/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 262

02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293

02/28/2013 House—Final Action - Passed as amended; Yea: 99 Nay: 25—HJ 301

02/28/2013 Senate—Received and Introduced—SJ 231

HISTORY OF BILLS

- 03/01/2013 Senate—Referred to Committee on Ways and Means—SJ 243
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 548-S
 03/20/2013 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 350
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 398
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 430
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative DeGraaf, Representative Kelly and Representative Frownfelter as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 489
 04/04/2013 House—Concurred with amendments in conference; Yea: 114 Nay: 8—HJ 639
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2140 Bill by General Government Budget**Senate Substitute for HB 2140 by Committee on Education - Enacting the Kansas reads to success act.**

- 01/30/2013 House—Introduced—HJ 116
 01/31/2013 House—Referred to Committee on Education Budget—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N
 02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education Budget—HJ 217
 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 247
 02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Education—SJ 195
 03/06/2013 Senate—Hearing: Monday, March 11, 2013, 1:30 PM Room 144-S
 03/25/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 393
 03/26/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 475
 03/27/2013 Senate—Final Action - Substitute passed as amended; Yea: 30 Nay: 10—SJ 482
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Cassidy, Representative Grosserode and Representative Winn as conferees—HJ 601
 04/01/2013 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 496
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 11—SJ 591

H 2141 Bill by General Government Budget**Senate Substitute for HB 2141 by Committee on Ethics, Elections and Local Government - Concerning public funds; lobbyists.**

- 01/30/2013 House—Introduced—HJ 117
 01/31/2013 House—Referred to Committee on Education—HJ 126
 02/06/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 112-N
 02/06/2013 House—Hearing: Thursday, February 07, 2013, 1:30 PM Room 112-N

- 02/11/2013 House—Committee Report recommending bill be passed by Committee on Education—HJ 181
- 02/13/2013 House—Committee of the Whole - Be passed—HJ 200
- 02/14/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 215
- 02/14/2013 Senate—Received and Introduced—SJ 153
- 02/15/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 156
- 02/26/2013 Senate—Hearing: Wednesday, February 27, 2013, 9:30 AM Room 159-S
- 03/21/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Ethics, Elections and Local Government—SJ 371

H 2142 Bill by General Government Budget

Repealing certain educational statutes concerning USD land transfers and higher education loan and grant programs.

- 01/30/2013 House—Introduced—HJ 117
- 01/31/2013 House—Referred to Committee on Education Budget—HJ 126
- 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N
- 02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education Budget—HJ 217
- 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 247
- 02/20/2013 Senate—Received and Introduced—SJ 171
- 02/25/2013 Senate—Referred to Committee on Ways and Means—SJ 196
- 02/27/2013 Senate—Hearing: Wednesday, March 06, 2013, 10:30 AM Room 346-S
- 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 548-S
- 04/01/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 497

H 2143 Bill by General Government Budget

Senate Substitute for HB 2143 by Committee on Ways and Means - Appropriations for FY 2014, FY 2015, FY 2016, FY 2017 and FY 2018 for various state agencies; capital improvement projects.

- 01/30/2013 House—Introduced—HJ 117
- 01/31/2013 House—Referred to Committee on General Government Budget—HJ 126
- 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 218-N
- 02/15/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on General Government Budget—HJ 225
- 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 244
- 02/20/2013 Senate—Received and Introduced—SJ 171
- 02/25/2013 Senate—Referred to Committee on Ways and Means—SJ 196
- 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 1:00 AM Room 548-S
- 03/18/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 302
- 03/20/2013 Senate—Amendment ruled out of order pursuant to Joint Rule 6—SJ 359
- 03/20/2013 Senate—Amendment ruled out of order pursuant to Joint Rule 6—SJ 359
- 03/20/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 355
- 03/21/2013 Senate—Final Action - Substitute passed as amended; Yea: 24 Nay: 16—SJ 366
- 03/22/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rhoades, Representative Suellentrop

- and Representative Henry as conferees—HJ 509
- 03/25/2013 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 395
- 03/27/2013 House—Representative Ballard replaces Representative Henry on the Conference Committee—HJ 590
- 04/01/2013 House—Representative Henry replaces Representative Ballard on the Conference Committee—HJ 601

H 2144 Bill by General Government Budget

Repealing unnecessary statutes relating to juveniles.

- 01/30/2013 House—Introduced—HJ 117
- 01/31/2013 House—Referred to Committee on Judiciary—HJ 126
- 02/13/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 112-N
- 02/20/2013 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 253
- 02/27/2013 House—Committee of the Whole - Be passed—HJ 291
- 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 301
- 02/28/2013 Senate—Received and Introduced—SJ 231
- 03/01/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 243
- 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 10:30 AM Room 144-S
- 03/19/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 306
- 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 426
- 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
- 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2145 Bill by General Government Budget

Senate Substitute for HB 2145 by Committee on Ways and Means -- University of Kansas; medical student loan act. Adding general surgery and obstetrics and gynecology to the definition of approved postgraduate residency training program.

- 01/30/2013 House—Introduced—HJ 117
- 01/31/2013 House—Referred to Committee on General Government Budget—HJ 126
- 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 218-N
- 02/15/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on General Government Budget—HJ 225
- 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 245
- 02/20/2013 Senate—Received and Introduced—SJ 171
- 02/25/2013 Senate—Referred to Committee on Ways and Means—SJ 196
- 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 548-S
- 05/21/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 931

H 2146 Bill by General Government Budget

Repealing the cancer drug repository program K.S.A. 2012 Supp. 65-1664 through 65-1667 and amending K.S.A. 2012 Supp. 65-1636.

- 01/30/2013 House—Introduced—HJ 117
- 01/31/2013 House—Referred to Committee on General Government Budget—HJ 126
- 02/13/2013 House—Hearing: Friday, February 22, 2013, 1:30 PM Room 218-N

02/25/2013 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 262

02/27/2013 House—Committee of the Whole - Be passed—HJ 291

02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 302

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 243

03/13/2013 Senate—Hearing: Thursday, March 21, 2013, 1:30 PM Room 118-N

H 2147 Bill by General Government Budget

Repealer; use of metric system on certain road signs and markers, moving of heavy vehicles on bridges or culverts, interstate bridges.

01/30/2013 House—Introduced—HJ 117

01/31/2013 House—Referred to Committee on Transportation—HJ 126

02/18/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 280

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 320

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Transportation—SJ 248

03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 546-S

03/13/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 271

03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 340

03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013—HJ 532

04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2148 Bill by General Government Budget

Repealers; postsecondary education scholarship provisions.

01/30/2013 House—Introduced—HJ 118

01/31/2013 House—Referred to Committee on Education Budget—HJ 126

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N

02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education Budget—HJ 217

02/20/2013 House—Final Action - Passed; Yea: 106 Nay: 16—HJ 248

02/20/2013 Senate—Received and Introduced—SJ 171

02/25/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 196

03/13/2013 Senate—Hearing: Thursday, March 21, 2013, 1:30 PM Room 118-N

03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371

H 2149 Bill by General Government Budget

Repealing a \$500,000 transfer from highway patrol training center fund to the state general fund.

01/30/2013 House—Introduced—HJ 118

01/31/2013 House—Referred to Committee on Education Budget—HJ 126

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N

02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education Budget—HJ 217

02/20/2013 House—Final Action - Passed; Yea: 108 Nay: 14—HJ 248

02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Ways and Means—SJ 196
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 548-S
 03/22/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Ways and Means—SJ 388
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 431
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Rhoades, Representative Suellentrop
 and Representative Henry as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator Masterson, Senator Denning
 and Senator Kelly appointed as conferees—SJ 489
 05/23/2013 House—Concurred with amendments in conference; Yea: 113 Nay: 0—HJ
 1032
 05/28/2013 House—Enrolled and presented to Governor on Tuesday, May 28, 2013—
 HJ 1055
 05/31/2013 House—Approved by Governor on Thursday, 30 May 2013—HJ 1086

H 2150 Bill by General Government Budget

**Senate Substitute for HB 2150 by Committee on Commerce - Concerning the
 Kansas employment first oversight commission.**

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on General Government Budget—HJ 126
 02/13/2013 House—Hearing: Friday, February 22, 2013, 1:30 PM Room 218-N
 02/25/2013 House—Committee Report recommending bill be passed by Committee on
 General Government Budget—HJ 262
 02/27/2013 House—Committee of the Whole - Be passed—HJ 291
 02/28/2013 House—Final Action - Passed; Yea: 94 Nay: 30—HJ 302
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Commerce—SJ 243
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Commerce—SJ 370
 03/25/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 397
 03/26/2013 Senate—Final Action - Substitute passed; Yea: 32 Nay: 5—SJ 431
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kleeb, Representative Suellentrop and
 Representative Frownfelter as conferees—HJ 585
 03/27/2013 Senate—Motion to accede adopted; Senator Lynn, Senator Wagle and
 Senator Holland appointed as conferees—SJ 489
 04/04/2013 House—Concurred with amendments in conference; Yea: 110 Nay: 12—
 HJ 639
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
 HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2151 Bill by General Government Budget

Repealers; report on medically underserved areas of the state.

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Education Budget—HJ 126

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N
 02/14/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education Budget—HJ 217
 02/18/2013 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 231
 02/26/2013 House—Committee of the Whole - Be passed—HJ 271
 02/27/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 289
 02/27/2013 Senate—Received and Introduced—SJ 202
 02/28/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 223
 03/13/2013 Senate—Hearing: Thursday, March 21, 2013, 1:30 PM Room 118-N
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371

H 2152 Bill by General Government Budget

Repealer: uniform land sales practices act.

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Financial Institutions—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 152-S
 02/15/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions—HJ 225
 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 245
 02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 195
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 9:30 AM Room 546-S

H 2153 Bill by Health and Human Services

Unused medications act; donating entities.

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Health and Human Services—HJ 126
 02/01/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 546-S
 02/15/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 225
 02/26/2013 House—Committee of the Whole - Be passed as amended—HJ 271
 02/27/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 290
 02/27/2013 Senate—Received and Introduced—SJ 202
 02/28/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 223
 03/13/2013 Senate—Hearing: Thursday, March 21, 2013, 1:30 PM Room 118-N
 03/21/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 371

H 2154 Bill by Health and Human Services

Senate Substitute for HB 2154 by Committee on Public Health and Welfare—Cosmetology; relating to licensure and renewal of persons, salons and clinics.

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Health and Human Services—HJ 126
 02/01/2013 House—Hearing: Tuesday, February 05, 2013, 1:30 PM Room 546-S
 02/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 200

02/15/2013 House—Committee of the Whole - Be passed as amended—HJ 225
 02/18/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 233
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 166
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 1:30 PM Room 118-N
 03/20/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 350

H 2155 Bill by Health and Human Services

**Senate Substitute for HB 2155 by Committee on Public Health and Welfare –
 Community developmental disability organizations; eligibility
 determination, needs assessment and case management.**

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Health and Human Services—HJ 126
 02/01/2013 House—Hearing: Tuesday, February 05, 2013, 1:30 PM Room 546-S
 02/13/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Health and Human Services—HJ 201
 02/15/2013 House—Committee of the Whole - Be passed as amended—HJ 225
 02/18/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 233
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 166
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 1:30 PM Room 118-N
 03/22/2013 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 387

H 2156 Bill by General Government Budget

**Repealers; school finance; area vocational school fund; local effort as applied to
 U.S.D. No. 450.**

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Education Budget—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 281-N
 02/14/2013 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Education Budget—HJ 217
 02/20/2013 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 249
 02/20/2013 Senate—Received and Introduced—SJ 171
 02/25/2013 Senate—Referred to Committee on Education—SJ 195
 03/06/2013 Senate—Hearing: Monday, March 11, 2013, 1:30 PM Room 144-S
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee
 on Education—SJ 371
 03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395
 03/26/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 431
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
 HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2157 Bill by Health and Human Services

Kansas dental board; licensure of dental practitioners.

01/30/2013 House—Introduced—HJ 118
 01/31/2013 House—Referred to Committee on Health and Human Services—HJ 126
 02/18/2013 House—Withdrawn from Committee on Health and Human Services;

Referred to Committee on Appropriations—HJ 231
 02/25/2013 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Health and Human Services—HJ 258

H 2158 Bill by Veterans, Military and Homeland Security

Creating a preference to businesses owned by disabled veterans for state contracts.

01/30/2013 House—Introduced—HJ 119

01/31/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 126

H 2159 Bill by General Government Budget

State court of tax appeals; filing fees; telephone hearings; terms of judges; initial pleadings.

01/30/2013 House—Introduced—HJ 119

01/31/2013 House—Referred to Committee on Taxation—HJ 126

H 2160 Bill by Appropriations

Quality care assessment on skilled nursing care facilities.

01/30/2013 House—Introduced—HJ 119

01/31/2013 House—Referred to Committee on Health and Human Services—HJ 126

02/01/2013 House—Withdrawn from Committee on Health and Human Services;
 Referred to Committee on Social Services Budget—HJ 136

02/08/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 144-S

02/20/2013 House—Committee Report recommending bill be passed by Committee on
 Social Services Budget—HJ 253

03/06/2013 House—Committee of the Whole - Be passed—HJ 351

03/07/2013 House—Final Action - Passed; Yea: 100 Nay: 21—HJ 354

03/07/2013 Senate—Received and Introduced—SJ 248

03/08/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 252

03/18/2013 Senate—Hearing: Wednesday, March 20, 2013, 1:30 PM Room 118-N

03/21/2013 Senate—Committee Report recommending bill be passed by Committee
 on Public Health and Welfare—SJ 371

03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395

03/26/2013 Senate—Final Action - Passed; Yea: 36 Nay: 4—SJ 431

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
 HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2161 Bill by Representatives Hildabrand, Bradford, Claeys, Garber, Grosserode, Hedke,
 Houser, Howell, Montgomery, O'Brien, Peck, Petty, Read, Rothlisberg

Concerning the National Defense Authorization Act.

01/30/2013 House—Introduced—HJ 119

01/31/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 126

02/06/2013 House—Hearing: Thursday, February 14, 2013, 1:30 PM Room 152-S

H 2162 Bill by Elections

**Prohibition on use of state appropriated moneys to lobby relating to gun control
 at federal, state and local government level.**

HISTORY OF BILLS

01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Elections—HJ 126
 02/01/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 281-N
 02/19/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Elections—HJ 242
 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293
 02/28/2013 House—Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 303
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Ethics, Elections and Local
 Government—SJ 243
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 9:30 AM Room 159-S
 03/19/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Ethics, Elections and Local Government—SJ 306
 03/25/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 388
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 34 Nay: 5—SJ 432
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Schwab, Representative Huebert and
 Representative Sawyer as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator Pyle, Senator Holmes and
 Senator Faust-Goudeau appointed as conferees—SJ 489
 05/10/2013 House—Representative Kinzer replaces Representative Schwab on the
 Conference Committee—HJ 933
 05/10/2013 House—Representative Bruchman replaces Representative Huebert on the
 Conference Committee—HJ 933
 05/10/2013 House—Representative Pauls replaces Representative Sawyer on the
 Conference Committee—HJ 933
 05/10/2013 Senate—Senator King replaces Senator Pyle on the Conference Committee
 —SJ 858
 05/10/2013 Senate—Senator Smith replaces Senator Holmes on the Conference
 Committee—SJ 858
 05/10/2013 Senate—Senator Haley replaces Senator Faust-Goudeau on the
 Conference Committee—SJ 858
 05/17/2013 Senate—Conference Committee Report was adopted; Yea: 31 Nay: 6—SJ
 929
 05/21/2013 House—Conference Committee Report was adopted; Yea: 83 Nay: 28—
 HJ 1014
 05/28/2013 House—Enrolled and presented to Governor on Tuesday, May 28, 2013—
 HJ 1055
 05/31/2013 House—Approved by Governor on Thursday, 30 May 2013—HJ 1086

H 2163 Bill by Judiciary**Relating to garnishment proceedings.**

01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Judiciary—HJ 126
 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 112-N
 02/15/2013 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 225
 02/27/2013 House—Committee of the Whole - Be passed—HJ 293
 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 303
 02/28/2013 Senate—Received and Introduced—SJ 231

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

03/01/2013 Senate—Referred to Committee on Judiciary—SJ 243
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Judiciary—SJ 346
 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 426
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
 HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2164 Bill by Judiciary

Juries and grand juries.

01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Judiciary—HJ 126
 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 112-N
 02/15/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 226
 02/20/2013 House—Committee of the Whole - Be passed as amended Yea: 119 Nay: 0
 —HJ 250
 02/25/2013 House—Final Action - Passed as amended; Yea: 75 Nay: 45—HJ 259
 02/25/2013 Senate—Received and Introduced—SJ 196
 02/26/2013 Senate—Referred to Committee on Judiciary—SJ 197
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 212-N
 03/21/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 371
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 28 Nay: 10—SJ 432
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kinzer, Representative Bruchman and
 Representative Pauls as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and
 Senator Haley appointed as conferees—SJ 489
 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 12—SJ
 720
 04/05/2013 House—Conference Committee Report was adopted; Yea: 92 Nay: 28—
 HJ 797
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
 HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2165 Bill by Judiciary

Amending the crime of promotion to minors of material harmful to minors.

01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 152-S

H 2166 Bill by Judiciary

**Substitute HB 2166 by Committee on Judiciary -- Relating to the medical
 assistance recovery program.**

01/30/2013 House—Introduced—HJ 119

HISTORY OF BILLS

- 01/31/2013 House—Referred to Committee on Judiciary—HJ 126
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 112-N
 02/27/2013 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 294
 02/28/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 295
 03/13/2013 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 388
 03/18/2013 House—Committee of the Whole - Substitute bill be passed as amended—HJ 411
 03/19/2013 House—Final Action - Substitute passed as amended; Yea: 112 Nay: 11—HJ 423
 03/19/2013 Senate—Received and Introduced—SJ 306
 03/20/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 338
 03/20/2013 Senate—Hearing: Thursday, March 21, 2013, 1:30 PM Room 118-N
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371

H 2167 Bill by Representative Victors**Senate Substitute for HB2167 by Committee on Federal and State Affairs - Concerning fireworks; regulations thereof.**

- 01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Federal and State Affairs
 01/31/2013 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Veterans, Military and Homeland Security—HJ 125
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 9:00 AM Room 152-S
 02/13/2013 House—Committee Report recommending bill be passed by Committee on Veterans, Military and Homeland Security—HJ 203
 02/25/2013 House—Committee of the Whole - Be passed—HJ 260
 02/26/2013 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 270
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 201
 04/01/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 497
 04/03/2013 Senate—Committee of the Whole - Substitute bill be passed—SJ 536
 04/03/2013 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 538
 04/04/2013 House—Concurred with amendments; Yea: 100 Nay: 23—HJ 634
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

H 2168 Bill by Representatives Grant, Alcalá, Alford, Barker, Bradford, Christmann, Claeys,

Clayton, Dierks, Doll, Ewy, Finney, Henderson, Henry, Hibbard, Hill, Houser, Kuether, Lane, Menghini, Rothlisberg, Sawyer, Thimesch

Amendments to the Kansas Expanded Lottery Act; race track gaming; other.

- 01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Federal and State Affairs—HJ 126
 03/13/2013 House—Hearing: Friday, March 22, 2013, 9:00 AM Room 346-S

H 2169 Bill by Corrections and Juvenile Justice**Allowing for proceedings to determine final disposition of prisoner's pending probation revocations.**

- 01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 152-S
 02/19/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 241
 02/26/2013 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 267
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Judiciary—SJ 201
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 212-N
 03/20/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—SJ 346
 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 426
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2170 Bill by Corrections and Juvenile Justice**Concerning sentencing dispositions, probation and postrelease supervision.**

- 01/30/2013 House—Introduced—HJ 119
 01/31/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 126
 02/06/2013 House—Hearing: Monday, February 11, 2013, 1:30 PM Room 152-S
 02/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 241
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313
 03/01/2013 House—Final Action - Passed as amended; Yea: 79 Nay: 44—HJ 329
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/12/2013 Senate—Hearing: Thursday, March 14, 2013, 10:30 AM Room 346-S
 03/22/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 385
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 432
 04/01/2013 House—Concurred with amendments; Yea: 75 Nay: 44—HJ 600
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Thursday, 11 April 2013—HJ 881

H 2171 Bill by Agriculture and Natural Resources**Establishing agreed local management areas.**

- 01/30/2013 House—Introduced—HJ 120
 01/31/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 126
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 346-S

- H 2172** Bill by Commerce, Labor and Economic Development
Cemeteries; cemetery corporations and cemetery merchandise.
 01/30/2013 House—Introduced—HJ 120
 01/31/2013 House—Referred to Committee on Local Government—HJ 126
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 1:30 PM Room 281-N
 02/20/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Local Government—HJ 253
 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293
 02/28/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 304
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Commerce—SJ 243
- H 2173** Bill by Commerce, Labor and Economic Development
**Civil Procedure: remote claims on commercial property; state construction
 registry.**
 01/30/2013 House—Introduced—HJ 120
 01/31/2013 House—Referred to Committee on Judiciary—HJ 126
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 112-N
 03/01/2013 House—Withdrawn from Committee on Judiciary; Referred to Committee
 on Appropriations—HJ 349
 03/06/2013 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 351
 03/13/2013 House—Hearing: Tuesday, March 19, 2013, 3:30 PM Room 112-N
- H 2174** Bill by Taxation
**Certain cash rebates on sales or leases of new motor vehicles not subject to sales
 taxation.**
 01/30/2013 House—Introduced—HJ 120
 01/31/2013 House—Referred to Committee on Taxation—HJ 126
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 582-N
 02/20/2013 House—Committee Report recommending bill be passed by Committee on
 Taxation—HJ 253
- H 2175** Bill by Representatives Hildabrand, Bradford, Christmann, Claeys, Dierks, Esau,
 Garber, Goico, Grosserode, Hedke, Houser, Howell, McPherson,
 Montgomery, O'Brien, Petty, Read, Rothlisberg, Rubin, Todd, Weber
Relating to official misconduct.
 01/30/2013 House—Introduced—HJ 120
 01/31/2013 House—Referred separately to Committee on Federal and State Affairs
 and Committee on Corrections and Juvenile Justice—HJ 126
 02/05/2013 House—Hearing: Tuesday, February 12, 2013, 9:00 AM Room 346-S
 03/18/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Federal and State Affairs. Committee on Federal and State
 Affairs and Committee on Corrections and Juvenile Justice—HJ 414
 03/18/2013 House—Now in Committee on Corrections and Juvenile Justice—HJ 414
- H 2176** Bill by Representatives Barker, Alford, Becker, Bideau, Bradford, Bridges, Bruchman,
 Christmann, Crum, Doll, Dove, Edwards, Ewy, Finch, Goico, Hineman,
 Jennings, Kahrs, Kelly, Kuether, Pauls, Phillips, Rothlisberg, Rubin,

Sawyer, Waymaster, Whipple

The Eisenhower foundation license plate.

01/31/2013 House—Introduced—HJ 124
 02/01/2013 House—Referred to Committee on Transportation—HJ 136
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 582-N
 02/20/2013 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Transportation—HJ 254
 02/27/2013 House—Final Action - Passed; Yea: 112 Nay: 11—HJ 286
 02/27/2013 Senate—Received and Introduced—SJ 202
 02/28/2013 Senate—Referred to Committee on Transportation—SJ 223
 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 8:30 AM Room 546-S
 03/13/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Transportation—SJ 271
 03/20/2013 Senate—Consent Calendar Passed Yea: 39 Nay: 1—SJ 341
 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013
 —HJ 532
 04/01/2013 House—Approved by Governor on Monday, 01 April 2013

H 2177 Bill by Transportation

Relating to motor carriers; concerning safety rules and regulations; certificates of convenience and necessity; transportation of certain materials.

01/31/2013 House—Introduced—HJ 125
 02/01/2013 House—Referred to Committee on Transportation—HJ 136
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 582-N
 02/20/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Transportation—HJ 254
 02/25/2013 House—Committee of the Whole - Be passed as amended—HJ 261
 02/26/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 270
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Transportation—SJ 201
 03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 546-S
 03/13/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Transportation—SJ 271
 03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 341
 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013
 —HJ 532
 04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2178 Bill by General Government Budget

Longevity bonus for state employees only if money appropriated in fiscal year by in an appropriations act.

01/31/2013 House—Introduced—HJ 125
 02/01/2013 House—Referred to Committee on General Government Budget—HJ 135
 02/18/2013 House—Hearing: Friday, February 22, 2013, 1:30 PM Room 218-N
 02/26/2013 House—Committee Report recommending bill be passed by Committee on
 General Government Budget—HJ 274
 02/28/2013 House—Committee of the Whole - Motion to recommend favorably for
 passage failed—HJ 308
 03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351

H 2179 Bill by General Government Budget**Removing the secretary of labor's role of taking assignment of wage claims.**

01/31/2013 House—Introduced—HJ 125

02/01/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 135

02/08/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 346-S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 272

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 312

03/01/2013 House—Final Action - Passed as amended; Yea: 87 Nay: 36—HJ 330

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Commerce—SJ 248

03/08/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 548-S

03/20/2013 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 345

H 2180 Bill by Veterans, Military and Homeland Security**Veteran service organizations, electronic gaming machines.**

01/31/2013 House—Introduced—HJ 125

02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135

H 2181 Bill by Veterans, Military and Homeland Security**Authorizing licensing bodies to accept certain online distance education courses towards licensure for military service member applicants.**

01/31/2013 House—Introduced—HJ 130

02/01/2013 House—Referred to Committee on Education—HJ 135

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 112-N

02/18/2013 House—Committee Report recommending bill be passed by Committee on Education—HJ 236

02/26/2013 House—Committee of the Whole - Be passed—HJ 271

02/27/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 290

02/27/2013 Senate—Received and Introduced—SJ 202

02/28/2013 Senate—Referred to Committee on Education—SJ 223

03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 1:30 PM Room 144-S

03/19/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—SJ 306

03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 427

04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—HJ 607

04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2182 Bill by Judiciary**Relating to grand juries.**

01/31/2013 House—Introduced—HJ 130

02/01/2013 House—Referred to Committee on Judiciary—HJ 136

02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 112-N

02/28/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 316

03/01/2013 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 320

- 03/06/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 351
- 03/08/2013 House—Committee Report recommending bill be further amended and be passed as amended by Committee on Judiciary—HJ 370
- 03/12/2013 House—Committee of the Whole - Be passed as amended—HJ 379
- 03/13/2013 House—Final Action - Passed as amended; Yea: 100 Nay: 24—HJ 384
- 03/13/2013 Senate—Received and Introduced—SJ 266
- 03/14/2013 Senate—Referred to Committee on Judiciary—SJ 290

H 2183 Bill by Health and Human Services

Substitute HB 2183 by Committee on Health and Human Services - - department of health and environment statutory duties and functions, infectious and contagious diseases, laboratory services, health information technology and medical assistance recovery program.

- 01/31/2013 House—Introduced—HJ 130
- 02/01/2013 House—Referred to Committee on Health and Human Services—HJ 136
- 02/01/2013 House—Hearing: Wednesday, February 06, 2013, 1:30 PM Room 546-S
- 02/26/2013 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 278
- 02/28/2013 House—Committee of the Whole - Substitute bill be passed as amended—HJ 315
- 03/01/2013 House—Final Action - Substitute passed as amended; Yea: 122 Nay: 1—HJ 330
- 03/01/2013 Senate—Received and Introduced—SJ 243
- 03/07/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 248
- 03/08/2013 Senate—Hearing: Thursday, March 14, 2013, 1:30 PM Room 118-N
- 03/18/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 302
- 03/20/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 351
- 03/21/2013 Senate—Final Action - Substitute passed as amended; Yea: 29 Nay: 11—SJ 368
- 03/25/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Crum, Representative Weber and Representative Ward as conferees—HJ 520
- 03/26/2013 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as conferees—SJ 424
- 04/03/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as second conferees—SJ 543
- 04/04/2013 House—Conference Committee Report agree to disagree adopted; Representative Crum, Representative Weber and Representative Ward appointed as second conferees—HJ 633
- 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 2—SJ 798
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 868
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

- H 2184** Bill by Health and Human Services
State plan for comprehensive treatment of chronic obstructive pulmonary disease.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Health and Human Services—HJ 136
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 546-S
- H 2185** Bill by Local Government
Consolidation of cities and counties; dual majority vote.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Local Government—HJ 136
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 281-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 279
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313
 03/01/2013 House—Final Action - Passed as amended; Yea: 119 Nay: 4—HJ 331
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 248
- H 2186** Bill by Legislative Post Audit Committee
Special city and county highway fund; county equalization and adjustment fund; apportionment, timing.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Taxation—HJ 136
- H 2187** Bill by Health and Human Services
Massage therapist licensure act.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Health and Human Services—HJ 136
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 546-S
- H 2188** Bill by Representative Brunk
Open records act; not-for profit organization; amendments.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Judiciary—HJ 136
 02/06/2013 House—Hearing: Tuesday, February 12, 2013, 3:30 PM Room 112-N
- H 2189** Bill by Federal and State Affairs
Veterans benefit lottery game; disposition of net profits; veterans benefit lottery game fund and national guard benefit lottery game fund established.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135
- H 2190** Bill by Federal and State Affairs
Firearms; possession on certain government property.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135

- H 2191** Bill by Utilities and Telecommunications
Utilities; cooperatives and distributions to members.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Utilities and Telecommunications—HJ 136
- H 2192** Bill by Federal and State Affairs
Postsecondary education; tuition and fees for aliens.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Education—HJ 135
 02/11/2013 House—Withdrawn from Committee on Education; Referred to Committee on Federal and State Affairs—HJ 179
 03/13/2013 House—Hearing: Wednesday, March 20, 2013, 9:00 AM Room 346-S
- H 2193** Bill by Federal and State Affairs
Public facilities; accessibility standards for disabled persons.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135
 02/05/2013 House—Hearing: Friday, February 15, 2013, 9:00 AM Room 346-S
 02/26/2013 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 282
 03/06/2013 House—Committee of the Whole - Be passed—HJ 351
 03/07/2013 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 354
 03/07/2013 Senate—Received and Introduced—SJ 248
 03/08/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 252
 03/08/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 144-S
 03/13/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 269
 03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 341
 03/26/2013 House—Enrolled and presented to Governor on Tuesday, March 26, 2013—HJ 589
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654
- H 2194** Bill by Federal and State Affairs
Creating the Kansas business workers and community partnership act.
 01/31/2013 House—Introduced—HJ 130
 02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135
- H 2195** Bill by Joint Special Claims Against the State
Claims against the state; 2012 Joint Committee recommendations.
 02/01/2013 House—Introduced—HJ 135
 02/04/2013 House—Referred to Committee on Appropriations—HJ 141
 02/06/2013 House—Hearing: Monday, February 11, 2013, 9:00 AM Room 112-N
 02/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 235
 03/06/2013 House—Committee of the Whole - Be passed as amended—HJ 351
 03/07/2013 House—Final Action - Passed as amended; Yea: 110 Nay: 10—HJ 355
 03/07/2013 Senate—Received and Introduced—SJ 248
 03/08/2013 Senate—Referred to Committee on Ways and Means—SJ 252
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 11:00 AM Room 548-S

- H 2196** Bill by Federal and State Affairs
Alcoholic beverages; creating an exception to distributor license requirements for corporate licensees.
 02/01/2013 House—Introduced—HJ 135
 02/04/2013 House—Referred to Committee on Federal and State Affairs—HJ 141
- H 2197** Bill by Federal and State Affairs
Kansas state high school activities association; membership of board of directors and executive board.
 02/01/2013 House—Introduced—HJ 135
 02/04/2013 House—Referred to Committee on Education—HJ 141
 02/05/2013 House—Withdrawn from Committee on Education; Referred to Committee on Federal and State Affairs—HJ 145
 03/06/2013 House—Hearing: Thursday, March 14, 2013, 9:00 AM Room 346-S
 03/22/2013 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 501
 03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 558
 03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 69 Nay: 53—HJ 582
 03/27/2013 Senate—Received and Introduced—SJ 478
 04/01/2013 Senate—Referred to Committee on Education—SJ 491
- H 2198** Bill by Vision 2020
Cannabis compassion and care act.
 02/01/2013 House—Introduced—HJ 135
 02/04/2013 House—Referred to Committee on Federal and State Affairs—HJ 141
- H 2199** Bill by Representatives Rubin, Alford, Boldra, Bradford, Brunk, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Couture-Lovelady, Crum, DeGraaf, Edwards, Esau, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Jones, Kelley, Macheers, Mast, McPherson, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Read, Rothlisberg, Ryckman Sr., Sawyer, Schwab, Sutton, Todd, Waymaster, Whipple
Senate Substitute for HB 2199 by Committee on Federal and State Affairs -- Alcoholic liquor; art organizations, complimentary drinks; club and drinking establishments; pitchers; employment standards for servers; samples; drink tax; hotels, coupons; enforcement orders, time limitations; other.
 02/01/2013 House—Introduced—HJ 138
 02/04/2013 House—Referred to Committee on Federal and State Affairs—HJ 141
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 9:00 AM Room 346-S
 02/26/2013 House—Hearing: Wednesday, February 27, 2013, 9:00 AM Room 346-S
 02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 294
 03/13/2013 House—Committee of the Whole - Be passed as amended—HJ 386
 03/14/2013 House—Final Action - Passed as amended; Yea: 94 Nay: 29—HJ 395
 03/14/2013 Senate—Received and Introduced—SJ 291
 03/15/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 297

- 03/21/2013 Senate—Hearing: Tuesday, March 26, 2013, 12:30 PM Room 144-S
- 03/26/2013 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 462
- 04/02/2013 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 514
- 04/02/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 533
- 04/03/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 537
- 04/03/2013 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 538
- 04/03/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Siegfried, Representative Brunk and Representative Ruiz as conferees—HJ 629
- 04/04/2013 Senate—Motion to accede adopted; Senator Ostmeyer, Senator Emler and Senator Faust-Goudeau appointed as conferees—SJ 572
- 04/05/2013 Senate—Senator Ostmeyer motioned to adopt the conference committee report.—SJ 740
- 04/05/2013 Senate—Motion on point of order if conference committee report is in violation of Joint Rules 3(f). Ruled in order.—SJ 740
- 04/05/2013 Senate—Substitute motion to send S Sub for HB 2199 back to conference and appoint a new conference committee. Motion failed.—SJ 740
- 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 10—SJ 740
- 04/05/2013 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 878
- 04/05/2013 House—Conference committee report ruled out of order under Joint Rule 3(f). Bill remains in conference.—HJ 789
- 04/05/2013 House—Conference Committee Report not adopted; Representative Siegfried, Representative Brunk and Representative Ruiz appointed as second conferees—HJ 789
- 05/09/2013 Senate—Motion to accede adopted; Senator Ostmeyer, Senator Emler and Senator Faust-Goudeau appointed as second conferees—SJ 852
- 05/10/2013 Senate—Senator Ostmeyer moved to adopt the Conference Committee Report.—SJ 873
- 05/10/2013 Senate—Substitute motion to send back to Conference Committee. Motion carried.—SJ 873
- 05/10/2013 Senate—Conference Committee Report not adopted; Senator Ostmeyer, Senator Emler and Senator Faust-Goudeau appointed as third conferees—SJ 873
- 05/10/2013 House—Motion to accede adopted; Representative Siegfried, Representative Brunk and Representative Ruiz appointed as third conferees—HJ 934
- 05/15/2013 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 900
- 05/22/2013 House—Conference Committee Report was adopted; Yea: 89 Nay: 23—HJ 1030
- 05/28/2013 House—Enrolled and presented to Governor on Tuesday, May 28, 2013—HJ 1055
- 05/31/2013 House—Approved by Governor on Thursday, 30 May 2013—HJ 1086

H 2200 Bill by General Government Budget**Executive chief information technology officer; office of information technology services.**

- 02/01/2013 House—Introduced—HJ 138
 02/04/2013 House—Referred to Committee on General Government Budget—HJ 141
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 218-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 274
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 308
 03/01/2013 House—Final Action - Passed as amended; Yea: 121 Nay: 2—HJ 331
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Ways and Means—SJ 248
 03/19/2013 Senate—Hearing: Thursday, March 21, 2013, 10:30 AM Room 548-S
 03/22/2013 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 387
 03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463
 03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 483
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2201 Bill by Utilities and Telecommunications**Telecommunications; regulation by the state corporation commission and distributions from the Kansas universal service fund.**

- 02/01/2013 House—Introduced—HJ 138
 02/04/2013 House—Referred to Committee on Utilities and Telecommunications—HJ 141
 02/04/2013 House—Hearing: Wednesday, February 06, 2013, 9:00 AM Room 582-N
 02/06/2013 House—Hearing: Monday, February 11, 2013, 9:00 AM Room 582-N
 02/06/2013 House—Hearing: Friday, February 08, 2013, 9:00 AM Room 582-N
 02/13/2013 House—Committee Report recommending bill be passed as amended by Committee on Utilities and Telecommunications—HJ 201
 02/15/2013 House—Committee of the Whole - Be passed as amended—HJ 225
 02/18/2013 House—Final Action - Passed as amended; Yea: 118 Nay: 1—HJ 234
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Utilities—SJ 166
 03/06/2013 Senate—Hearing: Tuesday, March 12, 2013, 1:30 PM Room 548-S
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 1:30 PM Room 548-S
 03/06/2013 Senate—Hearing: Thursday, March 14, 2013, 1:30 PM Room 548-S
 03/25/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 408
 03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 464
 03/27/2013 Senate—Final Action - Passed as amended; Yea: 36 Nay: 4—SJ 483
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Seiwert, Representative Garber and Representative Kuether as conferees—HJ 601
 04/01/2013 Senate—Motion to accede adopted; Senator Apple, Senator Knox and Senator Francisco appointed as conferees—SJ 496
 04/03/2013 Senate—Conference Committee Report agree to disagree adopted; Senator

- Apple, Senator Knox and Senator Francisco appointed as second conferees—SJ 539
- 04/04/2013 House—Conference Committee Report agree to disagree adopted; Representative Seiwert, Representative Garber and Representative Kuether appointed as second conferees—HJ 633
- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3—SJ 692
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 99 Nay: 20—HJ 685
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

H 2202 Bill by Agriculture and Natural Resources

Providing automatic relief from certain motor carrier restrictions upon the governor's declaration of emergency.

- 02/01/2013 House—Introduced—HJ 138
- 02/04/2013 House—Referred to Committee on Transportation—HJ 141
- 02/05/2013 House—Withdrawn from Committee on Transportation; Referred to Committee on Agriculture and Natural Resources—HJ 148
- 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 346-S
- 02/14/2013 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 216
- 02/18/2013 House—Committee of the Whole - Be passed as amended—HJ 235
- 02/20/2013 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 249
- 02/20/2013 Senate—Received and Introduced—SJ 171
- 02/25/2013 Senate—Referred to Committee on Transportation—SJ 196
- 03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 546-S
- 03/13/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 271
- 03/20/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 341
- 03/25/2013 House—Enrolled and presented to Governor on Monday, March 25, 2013—HJ 532
- 04/02/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2203 Bill by Representatives Kinzer, Alford, Boldra, Bradford, Brunk, Christmann,

DeGraaf, Dove, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Howell, Huebert, Kahrs, Kelley, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Powell, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Siegfried, Sutton

Relating to exercise of religion.

- 02/01/2013 House—Introduced—HJ 138
- 02/04/2013 House—Referred to Committee on Judiciary—HJ 141
- 02/13/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 112-N
- 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 279
- 02/28/2013 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative McPherson—HJ 310
- 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310

03/01/2013 House—Final Action - Passed as amended; Yea: 109 Nay: 14—HJ 332
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 346
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 4—
 SJ 381
 03/25/2013 House—Concurred with amendments; Yea: 109 Nay: 12—HJ 512
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
 HJ 607
 04/10/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2204 Bill by Judiciary**Extending the judicial branch surcharge for two years.**

02/01/2013 House—Introduced—HJ 138
 02/04/2013 House—Referred to Committee on Judiciary—HJ 141
 02/06/2013 House—Hearing: Monday, February 11, 2013, 3:30 PM Room 112-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 279
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310
 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 333
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 346
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—
 SJ 382
 03/25/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kinzer, Representative Bruchman and
 Representative Pauls as conferees—HJ 513
 03/25/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and
 Senator Haley appointed as conferees—SJ 395
 04/05/2013 Senate—Motion to suspend Joint Rule 3(f) - 30 Minute Rule adopted—SJ
 806
 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ
 845
 05/13/2013 House—Conference Committee Report was adopted; Yea: 121 Nay: 1—
 HJ 979
 05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—
 HJ 1010
 05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2205 Bill by Representatives Finch, Barker, Bradford, Christmann, Claeys, Clayton, Concannon, Dierks, Doll, Esau, Garber, Hawkins, Hill, Howell, Jennings, Jones, Moxley, Perry, Phillips, Rooker, Waymaster, Weber, Wilson
Adoption hearings; time and waiver of notice.

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

02/04/2013 House—Introduced—HJ 140
 02/05/2013 House—Referred to Committee on Judiciary—HJ 145
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 112-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 279
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310
 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 333
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Judiciary—SJ 346
 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 427
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
 HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2206 Bill by Taxation

Alcoholic beverages; expanding the privileges of retailer's licensees.

02/04/2013 House—Introduced—HJ 141
 02/05/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 145
 02/28/2013 House—Hearing: Thursday, March 07, 2013, 1:30 PM Room 346-S

H 2207 Bill by Agriculture and Natural Resources

**Substitute HB 2207 by Committee on Agriculture and Natural Resources--
 Amending provisions relating to the regulation and certification of
 animal feeding facilities.**

02/04/2013 House—Introduced—HJ 141
 02/05/2013 House—Referred to Committee on Agriculture and Natural Resources—
 HJ 145
 02/06/2013 House—Hearing: Thursday, February 14, 2013, 3:30 PM Room 346-S
 02/19/2013 House—Committee Report recommending substitute bill be passed by
 Committee on Agriculture and Natural Resources—HJ 241
 02/25/2013 House—Committee of the Whole - Substitute bill be passed—HJ 261
 02/26/2013 House—Final Action - Substitute passed; Yea: 119 Nay: 0—HJ 271
 02/26/2013 Senate—Received and Introduced—SJ 198
 02/27/2013 Senate—Referred to Committee on Natural Resources—SJ 201
 03/06/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S
 03/12/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 159-S
 03/22/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Natural Resources—SJ 387
 03/26/2013 Senate—Committee of the Whole - Be passed as amended—SJ 463
 03/27/2013 Senate—Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ
 484
 04/01/2013 House—Concurred with amendments; Yea: 119 Nay: 0—HJ 601
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
 HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

- H 2208** Bill by Corrections and Juvenile Justice
Juvenile justice authority; new community based services and residential care.
 02/04/2013 House—Introduced—HJ 141
 02/05/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 145
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 152-S
- H 2209** Bill by Corrections and Juvenile Justice
Amendments to the Kansas offender registration act.
 02/04/2013 House—Introduced—HJ 141
 02/05/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 145
 02/08/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 152-S
 02/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 241
 02/26/2013 House—Committee of the Whole - Be passed as amended—HJ 271
 02/27/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 291
 02/27/2013 Senate—Received and Introduced—SJ 202
 02/28/2013 Senate—Referred to Committee on Judiciary—SJ 223
 03/06/2013 Senate—Hearing: Monday, March 11, 2013, 10:30 AM Room 346-S
 03/22/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 386
- H 2210** Bill by Elections
Elections; change of party affiliation.
 02/04/2013 House—Introduced—HJ 141
 02/05/2013 House—Referred to Committee on Elections—HJ 145
 02/06/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 281-N
 02/14/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 281-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 273
 02/28/2013 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 60 Nay: 62—HJ 315
 03/01/2013 House—Motion to Reconsider Adopted—HJ 341
 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 72 Nay: 49—HJ 342
 03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 248
- H 2211** Bill by Veterans, Military and Homeland Security
Enhancing the penalties for possessing altered driver's licenses and nondriver identification cards.
 02/05/2013 House—Introduced—HJ 144
 02/06/2013 House—Referred to Committee on Judiciary—HJ 151
 02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 112-N
- H 2212** Bill by Veterans, Military and Homeland Security
Concerning the requirements to receiving a service grant through the veterans

claims assistance program.

- 02/05/2013 House—Introduced—HJ 144
 02/06/2013 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 151
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 9:00 AM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed by Committee on Veterans, Military and Homeland Security—HJ 280
 02/28/2013 House—Committee of the Whole - Be passed—HJ 308
 03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 334
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Federal and State Affairs—SJ 248
 03/07/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 144-S
 03/20/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 345
 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 427
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2213 Bill by Pensions and Benefits**Member elections and retirement benefit determinations and one-time payments under KPERS act of 2015.**

- 02/05/2013 House—Introduced—HJ 144
 02/06/2013 House—Referred to Committee on Pensions and Benefits—HJ 151
 02/06/2013 House—Hearing: Friday, February 08, 2013, 9:00 AM Room 152-S
 02/12/2013 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 189
 02/14/2013 House—Committee of the Whole - Be passed as amended—HJ 216
 02/15/2013 House—Final Action - Passed as amended; Yea: 115 Nay: 0—HJ 224
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Ways and Means—SJ 166
 03/06/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 371
 03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 471
 03/27/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 484
 04/02/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Johnson, Representative Howell and Representative Wolfe Moore as conferees—HJ 604
 04/02/2013 Senate—Motion to accede adopted; Senator King, Senator Masterson and Senator Kelly appointed as conferees—SJ 533
 05/16/2013 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 924
 05/20/2013 House—Conference Committee Report was adopted; Yea: 104 Nay: 0—HJ 1009
 05/28/2013 House—Enrolled and presented to Governor on Tuesday, May 28, 2013—HJ 1055
 06/07/2013 House—Approved by Governor on Friday, 07 June 2013

H 2214 Bill by Taxation

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

Income tax credit for expenses paid for household and dependent care services necessary for gainful employment.

02/05/2013 House—Introduced—HJ 145

02/06/2013 House—Referred to Committee on Taxation—HJ 151

H 2215 Bill by Education Budget

School districts; transportation of nonresident pupils.

02/05/2013 House—Introduced—HJ 145

02/06/2013 House—Referred to Committee on Education Budget—HJ 151

02/06/2013 House—Hearing: Wednesday, February 13, 2013, 3:30 PM Room 281-N

H 2216 Bill by General Government Budget

Repealing certain joint committees and amending related statutes; amending the joint committees on special claims against the state.

02/05/2013 House—Introduced—HJ 145

02/06/2013 House—Referred to Committee on General Government Budget—HJ 151

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 218-N

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 275

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 308

03/01/2013 House—Final Action - Passed as amended; Yea: 91 Nay: 32—HJ 334

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Ways and Means—SJ 248

05/08/2013 Senate—Hearing: Wednesday, May 08, 2013, Upon First Recess of the Senate: Room 548-S

05/10/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 860

05/14/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 879

05/15/2013 Senate—Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 882

05/17/2013 House—Nonconcurring with amendments; Conference Committee requested; appointed Representative DeGraaf, Representative Howell and Representative Lane as conferees—HJ 1000

05/20/2013 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 930

05/23/2013 House—Representative Burroughs replaces Representative Lane on the Conference Committee—HJ 1033

05/28/2013 House—Representative Lane replaces Representative Burroughs on the Conference Committee—HJ 1055

05/30/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as second conferees—SJ 1012

05/30/2013 House—Conference Committee Report agree to disagree adopted; Representative DeGraaf, Representative Howell and Representative Lane appointed as second conferees—HJ 1060

06/01/2013 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 5—SJ 1017

06/01/2013 Senate—Motion pursuant to Rule 40 of the Kansas Senate to re-open the roll, allowing an additional vote to be recorded. Motion adopted unanimously.—SJ 1019

06/01/2013 House—Conference Committee Report was adopted; Yea: 81 Nay: 28

06/10/2013 House—Enrolled and presented to Governor on Monday, June 10, 2013
 06/13/2013 House—Approved by Governor on Tuesday, 11 June 2013

H 2217 Bill by Corrections and Juvenile Justice

Creating the crime of female genital mutilation and setting the penalty.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 151
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 282
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 312
 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 335
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/13/2013 Senate—Hearing: Monday, March 18, 2013, 10:30 AM Room 346-S
 03/20/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 345
 03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463
 03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 484
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2218 Bill by Corrections and Juvenile Justice

Driving under the influence of alcohol or drugs; boating under the influence of alcohol or drugs; tests; implied consent; administrative hearings; aggravated battery DUI.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 151
 02/08/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 152-S
 02/13/2013 House—Hearing: Thursday, February 14, 2013, 1:30 PM Room 152-S
 02/19/2013 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 241
 02/27/2013 House—Committee of the Whole - Be passed—HJ 293
 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 304
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Judiciary—SJ 243
 03/06/2013 Senate—Hearing: Tuesday, March 12, 2013, 10:30 AM Room 346-S
 03/19/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 312
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 382
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rubin, Representative Gonzalez and Representative Finney as conferees—HJ 602
 04/01/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 496

- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 700
 05/09/2013 House—Conference Committee Report was adopted; Yea: 120 Nay: 2—HJ 901
 05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—HJ 1010
 05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2219 Bill by Representatives Garber, Carpenter, DeGraaf, Hawkins, Montgomery, O'Brien, Peck, Rothlisberg, Rubin, Schwab, Seiwert

Kansas indoor clean air act; smoking permitted certain premises.

- 02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Health and Human Services—HJ 151

H 2220 Bill by Veterans, Military and Homeland Security

Income tax deduction for armed service members on active duty.

- 02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Taxation—HJ 151

H 2221 Bill by Education

Enacting the equal access act; school employees; professional employees organization.

- 02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Education—HJ 151
 02/06/2013 House—Hearing: Monday, February 11, 2013, 1:30 PM Room 112-N
 02/14/2013 House—Committee Report recommending bill be passed by Committee on Education—HJ 217
 02/27/2013 House—Committee of the Whole - Be passed—HJ 293
 02/28/2013 House—Final Action - Passed; Yea: 71 Nay: 53—HJ 305
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Education—SJ 243
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 1:30 PM Room 144-S
 03/19/2013 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 306
 03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395
 03/26/2013 Senate—Final Action - Passed; Yea: 27 Nay: 13—SJ 432
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2222 Bill by Education

School districts; bullying policies.

- 02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Education—HJ 151
 02/08/2013 House—Hearing: Tuesday, February 12, 2013, 1:30 PM Room 112-N
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 282
 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 1—HJ 347

03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Education—SJ 248

H 2223 Bill by Federal and State Affairs

Substitute for HB 2223 by Committee on Federal and State Affairs -- Alcoholic beverages; homemade fermented beverages.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Federal and State Affairs—HJ 151
 03/20/2013 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 449

H 2224 Bill by Judiciary

Amending the Kansas restraint of trade act.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Judiciary—HJ 151
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 112-N

H 2225 Bill by Judiciary

Repealing the Kansas restraint of trade act.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Judiciary—HJ 151
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 112-N

H 2226 Bill by Elections

Municipalities; cities, school districts; community colleges; other; partisan elections.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Elections—HJ 151

H 2227 Bill by Elections

Municipalities; elections; odd-numbered years; non-partisan.

02/05/2013 House—Introduced—HJ 146
 02/06/2013 House—Referred to Committee on Elections—HJ 151
 03/13/2013 House—Hearing: Thursday, March 14, 2013, 1:30 PM Room 281-N

H 2228 Bill by Appropriations

Decreased employer payments to group insurance reserve fund for KPERS plan of death and long-term disability benefits during fiscal years 2014 and 2015.

02/05/2013 House—Introduced—HJ 147
 02/06/2013 House—Referred to Committee on Pensions and Benefits—HJ 151
 02/07/2013 House—Hearing: Friday, February 08, 2013, 9:00 AM Room 152-S
 02/12/2013 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 189
 02/14/2013 House—Committee of the Whole - Be passed as amended—HJ 216
 02/15/2013 House—Final Action - Passed as amended; Yea: 115 Nay: 0—HJ 224
 02/18/2013 Senate—Received and Introduced—SJ 159
 02/19/2013 Senate—Referred to Committee on Ways and Means—SJ 166
 03/06/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 548-S
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee

on Ways and Means—SJ 371

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 484

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2229 Bill by Appropriations

Capital improvement projects for various state agencies.

02/05/2013 House—Introduced—HJ 147

02/06/2013 House—Referred to Committee on General Government Budget—HJ 151

02/26/2013 House—Withdrawn from Committee on General Government Budget;
Referred to Committee on Appropriations—HJ 281

H 2230 Bill by Appropriations

**Authorizing transfer from the expanded lottery act revenues fund to the
department of education for KPERs employer contributions for school
districts.**

02/05/2013 House—Introduced—HJ 147

02/06/2013 House—Referred to Committee on Appropriations—HJ 151

H 2231 Bill by Appropriations

**Substitute HB 2231 by Committee on Appropriations - Appropriations for FY
2014, FY 2015, FY 2016, FY 2017 and FY 2018 for various state
agencies; capital improvement projects.**

02/05/2013 House—Introduced—HJ 147

02/06/2013 House—Referred to Committee on Appropriations—HJ 151

03/15/2013 House—Committee Report recommending substitute bill be passed by
Committee on Appropriations—HJ 402

03/19/2013 House—Committee of the Whole - Substitute bill be passed as amended
Yea: 71 Nay: 51—HJ 436

03/20/2013 House—Final Action - Substitute passed as amended; Yea: 68 Nay: 55—
HJ 445

03/20/2013 Senate—Received and Introduced—SJ 339

03/21/2013 Senate—Referred to Committee on Ways and Means—SJ 364

H 2232 Bill by Education

Providing professional liability insurance to teachers.

02/06/2013 House—Introduced—HJ 150

02/07/2013 House—Referred to Committee on Education—HJ 163

02/15/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 112-N

02/18/2013 Senate—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 112-N

02/27/2013 House—Committee Report recommending bill be passed as amended by
Committee on Education—HJ 294

03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351

H 2233 Bill by Children and Seniors

Enacting the protective parent reform act.

02/06/2013 House—Introduced—HJ 150

02/07/2013 House—Referred to Committee on Children and Seniors—HJ 163

02/20/2013 House—Hearing: Tuesday, February 26, 2013, 9:00 AM Room 218-N

H 2234 Bill by Appropriations

Naming the secretary of transportation as the director of operations of the Kansas turnpike authority; pertaining to certain contracts between the authority and the department of transportation.

02/06/2013 House—Introduced—HJ 150

02/07/2013 House—Referred to Committee on Transportation—HJ 163

02/08/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 280

03/08/2013 House—Committee of the Whole - Motion to refer to committee failed Committee on Transportation and Public Safety Budget—HJ 368

03/08/2013 House—Committee of the Whole - Be passed as amended—HJ 365

03/11/2013 House—Final Action - Passed as amended; Yea: 81 Nay: 41—HJ 374

03/11/2013 Senate—Received and Introduced—SJ 253

03/12/2013 Senate—Referred to Committee on Ways and Means—SJ 260

03/18/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 548-S

03/25/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 412

03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 472

03/27/2013 Senate—Final Action - Passed as amended; Yea: 26 Nay: 14—SJ 485

04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Ryckman Sr. and Representative Perry as conferees—HJ 602

04/01/2013 Senate—Motion to accede adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as conferees—SJ 496

04/04/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Masterson, Senator Denning and Senator Kelly appointed as second conferees—SJ 575

04/05/2013 House—Conference Committee Report agree to disagree adopted; Representative Proehl, Representative Ryckman Sr. and Representative Perry appointed as second conferees—HJ 689

04/05/2013 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 13—SJ 801

04/05/2013 House—Conference Committee Report was adopted; Yea: 76 Nay: 44—HJ 873

04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883

04/22/2013 House—Approved by Governor on Friday, 19 April 2013—HJ 881

H 2235 Bill by Vision 2020

Prescription monitoring program advisory committee; membership.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Health and Human Services—HJ 163

H 2236 Bill by Vision 2020

Pharmacists; loan forgiveness.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Education Budget—HJ 163

02/22/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 281-N

H 2237 Bill by Vision 2020

Prescription monitoring program and other programs serving pharmacists and non-pharmacists; user fees.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on General Government Budget—HJ 163

H 2238 Bill by Vision 2020

Telepharmacy; University of Kansas school of pharmacy; under served areas.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Health and Human Services—HJ 163

H 2239 Bill by Federal and State Affairs

Misdemeanor possession of a firearm during commission of certain misdemeanors.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 163

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 152-S

H 2240 Bill by Local Government

Prohibiting the use of unmanned aerial luminaries.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Local Government—HJ 163

H 2241 Bill by Energy and Environment

Renewable energy portfolio standards.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Energy and Environment—HJ 163

02/08/2013 House—Hearing: Thursday, February 14, 2013, 9:00 AM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Energy and Environment—HJ 274

02/28/2013 House—Committee of the Whole - Referred to Committee on Utilities and Telecommunications—HJ 309

03/01/2013 House—Withdrawn from Committee on Utilities and

Telecommunications; Referred to Committee on Appropriations—HJ 320

03/08/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Energy and Environment—HJ 372

H 2242 Bill by Education Budget

Qualifications for resident fees for military personnel and veterans.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Education Budget—HJ 163

02/22/2013 House—Hearing: Tuesday, February 26, 2013, 3:30 PM Room 281-N

H 2243 Bill by Representatives Hawkins, Crum, Dove, Goico, Osterman, Peck, Siegfried
Health insurance; mandate lite health benefit plans; specially designed policies.

02/06/2013 House—Introduced—HJ 151

02/07/2013 House—Referred to Committee on Insurance—HJ 163

H 2244 Bill by Taxation**Taxation of watercraft.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Taxation—HJ 163

02/13/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 582-N

03/22/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 507

03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 558

03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 107 Nay: 15 —HJ 582

03/27/2013 Senate—Received and Introduced—SJ 478

04/01/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 491

H 2245 Bill by Taxation**Allowing boards of county commissioners to exempt severed minerals from ad valorem taxation.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Taxation—HJ 163

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 582-N

H 2246 Bill by Commerce, Labor and Economic Development**Peer review for certain licensed technical professions.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 163

02/13/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 346-S

H 2247 Bill by Local Government**Counties; abatement of nuisances, procedure; disposition of vehicle.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Local Government—HJ 163

H 2248 Bill by Education**Providing authority for a school district to adopt an extracurricular school activities budget.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Education Budget—HJ 163

02/22/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 281-N

H 2249 Bill by Local Government**Certain property issues; fire districts; historic preservation; solid waste.**

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Local Government—HJ 163

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 281-N

02/26/2013 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 279

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 314

03/01/2013 House—Final Action - Passed as amended; Yea: 101 Nay: 22—HJ 335

03/01/2013 Senate—Received and Introduced—SJ 243

- 03/07/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 248
- 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 9:30 AM Room 159-S
- 03/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 345
- 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
- 03/26/2013 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 433
- 03/26/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Huebert, Representative Phillips and Representative Alcalá as conferees—HJ 586
- 03/27/2013 Senate—Motion to accede adopted; Senator Pyle, Senator Holmes and Senator Faust-Goudeau appointed as conferees—SJ 489
- 04/04/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Pyle, Senator Holmes and Senator Faust-Goudeau appointed as second conferees—SJ 577
- 04/04/2013 House—Conference Committee Report agree to disagree adopted; Representative Huebert, Representative Phillips and Representative Alcalá appointed as second conferees—HJ 641
- 05/15/2013 Senate—Motion to not adopt the Conference Committee report and send HB 2249 back to conference and appoint a new conference committee.—SJ 886
- 05/15/2013 Senate—Substitute motion to adopt the Conference Committee report.—SJ 886
- 05/15/2013 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 10—SJ 886
- 05/17/2013 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 997
- 05/17/2013 House—Conference Committee Report was adopted; Yea: 92 Nay: 18—HJ 1000
- 05/24/2013 House—Enrolled and presented to Governor on Friday, May 24, 2013—HJ 1039
- 05/31/2013 House—Approved by Governor on Thursday, 30 May 2013—HJ 1086

H 2250 Bill by Health and Human Services

Licensure as an addictions counselor or licensed clinical addictions counselor by the department for aging and disability services; exemptions.

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Health and Human Services—HJ 163

H 2251 Bill by Health and Human Services

Advanced practice registered nurses scope of practice and prescribing authority.

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Health and Human Services—HJ 163

H 2252 Bill by Representatives Finch, Victors, Ballard, Bridges, Claeys, Clayton, Dove, Finney, Hawkins, Houser, Houston, Menghini, Osterman, Peterson, Rooker, Rubin, Ruiz, Tietze, Waymaster, Whipple, Wolfe Moore

Eliminating the statute of limitations for prosecutions of rape and aggravated criminal sodomy.

02/06/2013 House—Introduced—HJ 160

02/07/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 163
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 152-S
 02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 273
 02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 313
 03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 336
 03/01/2013 Senate—Received and Introduced—SJ 243
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/07/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 250
 03/13/2013 Senate—Committee of the Whole - Be passed—SJ 272
 03/14/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 294
 03/22/2013 House—Enrolled and presented to Governor on Friday, March 22, 2013—HJ 509
 04/01/2013 House—Approved by Governor on Monday, 01 April 2013

H 2253 Bill by Federal and State Affairs

Abortion; prohibiting funding for abortion services; amending late-term abortion and woman's-right-to-know statutes.

02/06/2013 House—Introduced—HJ 160
 02/07/2013 House—Referred to Committee on Federal and State Affairs—HJ 163
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 9:00 AM Room 346-S
 03/08/2013 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 369
 03/19/2013 House—Committee of the Whole - Be passed as amended—HJ 426
 03/20/2013 House—Final Action - Passed as amended; Yea: 92 Nay: 31—HJ 446
 03/20/2013 Senate—Received and Introduced—SJ 339
 03/21/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 364
 03/21/2013 Senate—Hearing: Friday, March 22, 2013, 10:30 AM Room 118-N
 03/25/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 393
 04/01/2013 Senate—Motion to withdraw from General Orders and be re-referred to Committee on Public Health and Welfare. The motion failed.—SJ 501
 04/01/2013 Senate—Committee of the Whole - Be passed as amended—SJ 498
 04/02/2013 Senate—Final Action - Passed as amended; Yea: 29 Nay: 11—SJ 511
 04/02/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Siegfried, Representative Brunk and Representative Ruiz as conferees—HJ 607
 04/02/2013 Senate—Motion to accede adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as conferees—SJ 533
 04/03/2013 Senate—Senator Francisco replaces Senator Kelly on the Conference Committee—SJ 535
 04/04/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as second conferees—SJ 573
 04/04/2013 Senate—Motion to Reconsider Adopted—SJ 573
 04/04/2013 Senate—Conference Committee Report agree to disagree adopted; Senator Pilcher-Cook, Senator Bowers and Senator Kelly appointed as second conferees—SJ 573

- 04/04/2013 Senate—Senator Francisco replaces Senator Kelly on the Conference Committee—SJ 573
- 04/04/2013 House—Conference Committee Report agree to disagree adopted; Representative Siegfried, Representative Brunk and Representative Ruiz appointed as second conferees—HJ 641
- 04/05/2013 Senate—Conference Committee Report was adopted; Yea: 28 Nay: 10—SJ 745
- 04/05/2013 House—Conference Committee Report was adopted; Yea: 90 Nay: 30—HJ 878
- 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
- 04/22/2013 House—Approved by Governor on Friday, 19 April 2013—HJ 881

H 2254 Bill by Judiciary**Relating to the determination of paternity.**

- 02/06/2013 House—Introduced—HJ 161
- 02/07/2013 House—Referred to Committee on Judiciary—HJ 163
- 02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 112-N

H 2255 Bill by Commerce, Labor and Economic Development**Economic development; investments in telecommunications machinery and equipment.**

- 02/07/2013 House—Introduced—HJ 166
- 02/08/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 169
- 02/13/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 346-S
- 02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 292
- 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
- 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 116 Nay: 5—HJ 347
- 03/06/2013 Senate—Received and Introduced—SJ 246
- 03/07/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 248
- 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 9:30 AM Room 548-S
- 03/26/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 462

H 2256 Bill by Corrections and Juvenile Justice**Amending provisions relating to municipal appearance bonds.**

- 02/07/2013 House—Introduced—HJ 166
- 02/08/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 169

H 2257 Bill by Representative Sloan**Board of barbering; establishing a process whereby a licensed cosmetologist may become a licensed barber; if licensed barber owns a cosmetology services salon, the board of barbering would inspect such salon.**

- 02/07/2013 House—Introduced—HJ 166
- 02/08/2013 House—Referred to Committee on Health and Human Services—HJ 169

H 2258 Bill by Commerce, Labor and Economic Development**Repealing the restraint of trade act.**

02/07/2013 House—Introduced—HJ 166

02/08/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 169

02/27/2013 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 286

02/28/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 295

H 2259 Bill by Judiciary**Domestic relations; relating to divorce; service of process.**

02/07/2013 House—Introduced—HJ 166

02/08/2013 House—Referred to Committee on Judiciary—HJ 169

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 112-N

02/20/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 253

02/27/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 286

02/27/2013 Senate—Received and Introduced—SJ 202

02/28/2013 Senate—Referred to Committee on Judiciary—SJ 223

03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 346-S

H 2260 Bill by Elections**Elections; voter identification; affidavit in lieu of photo identification.**

02/07/2013 House—Introduced—HJ 166

02/08/2013 House—Referred to Committee on Elections—HJ 169

H 2261 Bill by Education**School districts; expenditure of unencumbered balances; removing the cap for contingency reserve fund; establishing celebrate freedom week; bullying policies.**

02/07/2013 House—Introduced—HJ 166

02/08/2013 House—Referred to Committee on Education—HJ 169

02/08/2013 House—Hearing: Wednesday, February 13, 2013, 1:25 PM Room 112-N

02/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 236

02/20/2013 House—Committee of the Whole - Be passed as amended—HJ 250

02/25/2013 House—Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 259

02/25/2013 Senate—Received and Introduced—SJ 196

02/26/2013 Senate—Referred to Committee on Education—SJ 197

03/06/2013 Senate—Hearing: Monday, March 11, 2013, 1:30 PM Room 144-S

03/21/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 371

03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395

03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 433

04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kelley, Representative Cassidy and Representative Trimmer as conferees—HJ 602

04/01/2013 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 496

- 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 3—SJ 582
 05/09/2013 House—Conference Committee Report was adopted; Yea: 119 Nay: 1—HJ 922
 05/17/2013 House—Enrolled and presented to Governor on Friday, May 17, 2013—HJ 1010
 05/23/2013 House—Approved by Governor on Wednesday, 22 May 2013—HJ 1037

H 2262 Bill by Appropriations

Substitute HB 2262 by Committee on Appropriations - Amending the percentage amount that is deposited into the oil and gas valuation depletion trust fund from 12.41% to 8.25%.

- 02/07/2013 House—Introduced—HJ 166
 02/08/2013 House—Referred to Committee on Appropriations—HJ 169
 02/25/2013 House—Hearing: Wednesday, February 27, 2013, 9:00 AM Room 112-N—HJ 261
 03/19/2013 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 426
 03/25/2013 House—Committee of the Whole - Substitute bill be passed—HJ 514
 03/26/2013 House—Final Action - Substitute passed; Yea: 96 Nay: 23—HJ 538
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Ways and Means—SJ 477

H 2263 Bill by Education

Enacting the school district special needs scholarship program.

- 02/07/2013 House—Introduced—HJ 166
 02/08/2013 House—Referred to Committee on Education—HJ 169
 02/15/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 112-N

H 2264 Bill by Education

School districts; capital improvements.

- 02/07/2013 House—Introduced—HJ 166
 02/08/2013 House—Referred to Committee on Education—HJ 169

H 2265 Bill by Education

Requiring 65% of state moneys received by school districts to be expended for instruction.

- 02/07/2013 House—Introduced—HJ 166
 02/08/2013 House—Referred to Committee on Education Budget—HJ 169

H 2266 Bill by Elections

Campaign finance; relating to schools and question submitted elections.

- 02/08/2013 House—Introduced—HJ 168
 02/11/2013 House—Referred to Committee on Elections—HJ 179

H 2267 Bill by Taxation

Income tax, credits, high performance incentive program; subtraction modifications, certain expenses related to living donor organ donations.

- 02/08/2013 House—Introduced—HJ 169
 02/11/2013 House—Referred to Committee on Taxation—HJ 179

02/27/2013 House—Hearing: Thursday, March 07, 2013, 3:30 PM Room 582-N
 03/19/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Taxation—HJ 428
 03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 566
 03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 106 Nay: 16
 —HJ 583
 03/27/2013 Senate—Received and Introduced—SJ 478
 04/01/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 491

H 2268 Bill by Taxation**Providing an income tax deduction for certain long-term care premiums.**

02/08/2013 House—Introduced—HJ 169
 02/11/2013 House—Referred to Committee on Taxation—HJ 179

H 2269 Bill by Transportation**John Bower memorial highway.**

02/08/2013 House—Introduced—HJ 169
 02/11/2013 House—Referred to Committee on Transportation—HJ 179
 02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 582-N
 02/20/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Transportation—HJ 254
 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 291
 02/28/2013 House—Final Action - Passed as amended; Yea: 114 Nay: 10—HJ 306
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Transportation—SJ 243
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 8:30 AM Room 546-S
 03/19/2013 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Transportation—SJ 333
 03/26/2013 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 427
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
 HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2270 Bill by Federal and State Affairs**Personal and family protection act; authorizing the carrying of concealed handguns in public buildings.**

02/08/2013 House—Introduced—HJ 175
 02/11/2013 House—Referred to Committee on Federal and State Affairs—HJ 179

H 2271 Bill by Federal and State Affairs**Municipalities; elections; partisan; fall, even-numbered years.**

02/08/2013 House—Introduced—HJ 175
 02/11/2013 House—Referred to Committee on Elections—HJ 179
 02/13/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 281-N

H 2272 Bill by Commerce, Labor and Economic Development**Exempting IRB-purchased property from property taxation without state ownership requirement.**

02/08/2013 House—Introduced—HJ 175
 02/11/2013 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 179

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 346-S

02/25/2013 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 261

02/28/2013 House—Committee of the Whole - Be passed—HJ 309

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 336

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Commerce—SJ 248

03/08/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 548-S

03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 370

- H 2273** Bill by Representatives Tietze, Ballard, Bridges, Burroughs, Carlin, Davis, Finney, Frownfelter, Grant, Henderson, Houston, Kuether, Menghini, Pauls, Peterson, Ruiz, Sawyer, Sloop, Trimmer, Victors, Weigel, Whipple, Wilson, Winn

Requiring employment of Kansas workers for certain state contracts and tax benefits.

02/08/2013 House—Introduced—HJ 175

02/11/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 179

- H 2274** Bill by Judiciary

Relating to the qualifications of the secretary of corrections.

02/08/2013 House—Introduced—HJ 176

02/11/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 179

- H 2275** Bill by Judiciary

Amending the Kansas restraint of trade act.

02/08/2013 House—Introduced—HJ 176

02/11/2013 House—Referred to Committee on Judiciary—HJ 179

02/13/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 112-N

- H 2276** Bill by Corrections and Juvenile Justice

Allowing prison-made goods to continue to be sold in Kansas.

02/08/2013 House—Introduced—HJ 176

02/11/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 179

- H 2277** Bill by Corrections and Juvenile Justice

Amending provisions relating to the law enforcement powers of juvenile justice authority officers.

02/08/2013 House—Introduced—HJ 176

02/11/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 179

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 152-S

- H 2278** Bill by Corrections and Juvenile Justice

Creating a penalty enhancement for the theft or burglary of a firearm.

- 02/08/2013 House—Introduced—HJ 176
 02/11/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 179
 02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 152-S
 02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 292
 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 4—HJ 343
 03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 10:30 AM Room 212-N
 03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 371
 03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463
 03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 486
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2279 Bill by Representatives Davis, Burroughs, Ballard, Bridges, Carlin, Finney, Frownfelter, Grant, Henderson, Houston, Kuether, Menghini, Peterson, Sawyer, Sloop, Tietze, Trimmer, Victors, Weigel, Whipple, Wilson, Winn, Wolfe Moore

Kansas Buy American Act.

- 02/08/2013 House—Introduced—HJ 176
 02/11/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 179

H 2280 Bill by Representatives Meigs, Boldra, Bradford, Brunk, Couture-Lovelady, DeGraaf, Dove, Gonzalez, Grosserode, Hermanson, Hibbard, Hildabrand, Hoffman, Jones, Kleeb, Lunn, Macheers, Mast, McPherson, Montgomery, O'Brien, Osterman, Powell, Read, Ryckman Jr., Ryckman Sr., Schwab, Siegfried, Sutton, Todd

School districts; establishing celebrate freedom week and related curriculum.

- 02/08/2013 House—Introduced—HJ 176
 02/11/2013 House—Referred to Committee on Education—HJ 179
 02/13/2013 House—Hearing: Friday, February 22, 2013, 10:30 PM Room 212 B-N
 02/22/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 112-N
 02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 294
 03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341
 03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 95 Nay: 25—HJ 346
 03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Education—SJ 248

H 2281 Bill by Representatives Finney, Ballard, Carlin, Grant, Henderson, Houston, Kuether, Menghini, Sawyer, Winn
Voter identification; deleting requirement of proof of citizenship and provision of

free certified birth certificate by secretary of KDHE.

02/08/2013 House—Introduced—HJ 176

02/11/2013 House—Referred to Committee on Elections—HJ 179

H 2282 Bill by Education**Establishing the personal financial literacy incentive program.**

02/11/2013 House—Introduced—HJ 179

02/12/2013 House—Referred to Committee on Education Budget—HJ 187

H 2283 Bill by Children and Seniors**Nurse aide trainees; criminal history record information check; before the start of school.**

02/11/2013 House—Introduced—HJ 179

02/12/2013 House—Referred to Committee on Health and Human Services—HJ 187

02/25/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 546-S—HJ 261

H 2284 Bill by Representatives Trimmer, Alcalá, Ballard, Bridges, Carlin, Finney, Henderson, Henry, Houser, Houston, Kuether, Lane, Lusk, Menghini, Pauls, Peterson, Ruiz, Sawyer, Sloop, Tietze, Weigel, Wilson, Winn, Wolfe Moore**Health insurance; requires use of any willing provider pharmacy to fill prescriptions.**

02/11/2013 House—Introduced—HJ 179

02/12/2013 House—Referred to Committee on Insurance—HJ 187

H 2285 Bill by Taxation**Defining "commercial and industrial machinery and equipment."**

02/11/2013 House—Introduced—HJ 179

02/12/2013 House—Referred to Committee on Taxation—HJ 187

02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 582-N

03/12/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 380

H 2286 Bill by Taxation**Allowing individual taxpayers to claim a deduction for net operating losses.**

02/11/2013 House—Introduced—HJ 179

02/12/2013 House—Referred to Committee on Taxation—HJ 187

H 2287 Bill by Federal and State Affairs**Creating the office of inspector general.**

02/11/2013 House—Introduced—HJ 181

02/12/2013 House—Referred to Committee on General Government Budget—HJ 187

H 2288 Bill by Corrections and Juvenile Justice**Amending provisions relating to offender registration.**

02/11/2013 House—Introduced—HJ 181

02/12/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 187

02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 152-S

H 2289 Bill by Education**Prohibiting the use of common core standards.**

02/11/2013 House—Introduced—HJ 181

02/12/2013 House—Referred to Committee on Education—HJ 187

03/19/2013 House—Withdrawn from Committee on Education; Referred to
Committee on Appropriations—HJ 43303/20/2013 House—Withdrawn from Committee on Appropriations; Rereferred to
Committee on Education—HJ 441

03/20/2013 House—Hearing: Thursday, March 21, 2013, 12:00 PM Room 112-N

H 2290 Bill by Education**Requiring an election to authorize expenditures for school finance litigation.**

02/11/2013 House—Introduced—HJ 182

02/12/2013 House—Referred to Committee on Appropriations—HJ 187

H 2291 Bill by Education**Municipalities; bond election; notice and ballot requirements.**

02/11/2013 House—Introduced—HJ 182

02/12/2013 House—Referred to Committee on Elections—HJ 187

H 2292 Bill by Agriculture and Natural Resources**Limiting nuisance actions against certain agricultural activities.**

02/11/2013 House—Introduced—HJ 182

02/12/2013 House—Referred to Committee on Judiciary—HJ 187

02/14/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 112-N

H 2293 Bill by Appropriations**Racing and gaming commission; compensation of members.**

02/11/2013 House—Introduced—HJ 182

02/12/2013 House—Referred to Committee on Appropriations—HJ 187

03/06/2013 House—Hearing: Monday, March 11, 2013, 1:30 PM Room 142-S

H 2294 Bill by Financial Institutions**Kansas uniform securities act.**

02/12/2013 House—Introduced—HJ 185

02/13/2013 House—Referred to Committee on Financial Institutions—HJ 193

02/15/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 152-S

02/26/2013 House—Committee Report recommending bill be passed by Committee on
Financial Institutions—HJ 274

02/28/2013 House—Committee of the Whole - Be passed—HJ 308

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 337

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 248

03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 9:30 AM Room 546-S

03/21/2013 Senate—Committee Report recommending bill be passed by Committee
on Financial Institutions and Insurance—SJ 371

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 486

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—

HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2295 Bill by Energy and Environment

Water pollution control permits and creating the water program management fund.

02/12/2013 House—Introduced—HJ 185

02/13/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 193

02/15/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 346-S

H 2296 Bill by Appropriations

Campaign finance; permitted uses of campaign funds.

02/12/2013 House—Introduced—HJ 185

02/13/2013 House—Referred to Committee on Elections—HJ 193

02/13/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 281-N

02/26/2013 House—Committee Report recommending bill be passed by Committee on Elections—HJ 273

03/07/2013 House—Committee of the Whole - Be passed—HJ 355

03/08/2013 House—Final Action - Passed; Yea: 120 Nay: 1—HJ 363

03/11/2013 Senate—Received and Introduced—SJ 253

03/12/2013 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 260

03/18/2013 Senate—Hearing: Tuesday, March 19, 2013, 9:30 AM Room 159-S

H 2297 Bill by Education Budget

School finance litigation; burden of proof.

02/12/2013 House—Introduced—HJ 185

02/13/2013 House—Referred to Committee on Education Budget—HJ 193

H 2298 Bill by Corrections and Juvenile Justice

Amending the crimes of interference with law enforcement and giving a false alarm.

02/12/2013 House—Introduced—HJ 185

02/13/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 193

02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 152-S

02/27/2013 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 292

03/01/2013 House—Committee of the Whole - Be passed—HJ 341

03/01/2013 House—Emergency Final Action - Passed; Yea: 121 Nay: 0—HJ 344

03/06/2013 Senate—Received and Introduced—SJ 246

03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248

H 2299 Bill by Corrections and Juvenile Justice

Amending the crimes of assault and battery against a law enforcement officer to include animal control officers and firefighters.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 193

H 2300 Bill by Local Government**Reno county commissioners; term limits.**

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Local Government—HJ 193

H 2301 Bill by Pensions and Benefits**Interest credits and annuity interest rate changes under KPERS act of 2015.**

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Pensions and Benefits—HJ 193

02/22/2013 House—Withdrawn from Committee on Pensions and Benefits; Referred to Committee on Appropriations—HJ 256

02/25/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 258

H 2302 Bill by Health and Human Services**Relating to drug screening, criminal history record check and fingerprinting of certain persons and employees.**

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Health and Human Services—HJ 193

02/14/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 546-S

02/20/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 252

02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293

02/28/2013 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 306

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 243

03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 1:30 PM Room 118-N

03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 486

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 880

H 2303 Bill by Health and Human Services**Relating to driver's license fees; driving under the influence equipment fund.**

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Transportation and Public Safety Budget—HJ 193

02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 142-S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation and Public Safety Budget—HJ 283

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 312

03/01/2013 House—Final Action - Passed as amended; Yea: 113 Nay: 10—HJ 337

03/01/2013 Senate—Received and Introduced—SJ 243

03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248

03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 10:30 AM Room 346-S

03/25/2013 Senate—Committee Report recommending bill be passed as amended by

Committee on Judiciary—SJ 399

03/26/2013 Senate—Committee of the Whole - Be passed as further amended—SJ 473

03/27/2013 Senate—Final Action - Passed as amended; Yea: 26 Nay: 14—SJ 487

04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Peck, Representative Hildabrand and Representative Grant as conferees—HJ 602

04/01/2013 Senate—Motion to accede adopted; Senator King, Senator Smith and Senator Haley appointed as conferees—SJ 497

04/04/2013 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 6—SJ 584

H 2304 Bill by Energy and Environment

Air quality fee fund and the transfer of permit fees.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 193

02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 142-S

H 2305 Bill by Energy and Environment

Kansas storage tank act and containment of underground storage tanks.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Energy and Environment—HJ 193

02/13/2013 House—Hearing: Tuesday, February 19, 2013, 9:00 AM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed by Committee on Energy and Environment—HJ 274

02/28/2013 House—Committee of the Whole - Be passed—HJ 308

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 338

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Natural Resources—SJ 248

03/11/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S

03/12/2013 Senate—Hearing: Wednesday, March 13, 2013, 8:30 AM Room 159-S

03/13/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 271

03/19/2013 Senate—Committee of the Whole - Be passed as amended—SJ 336

03/20/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 343

03/22/2013 House—Concurred with amendments; Yea: 119 Nay: 0—HJ 475

03/26/2013 House—Enrolled and presented to Governor on Tuesday, March 26, 2013—HJ 589

04/03/2013 House—Approved by Governor on Tuesday, 02 April 2013—HJ 609

H 2306 Bill by Education

School districts; course of instruction; science.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Education—HJ 193

H 2307 Bill by Education

High school athletes; cheerleading.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Federal and State Affairs—HJ 193

02/26/2013 House—Withdrawn from Committee on Federal and State Affairs;

Referred to Committee on Education—HJ 281

H 2308 Bill by Education

KPERS; working after retirement limitations and adjusting definition of compensation for purposes of computing final average salary.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Pensions and Benefits—HJ 193

H 2309 Bill by Veterans, Military and Homeland Security

Providing veteran designation on driver's licenses and nondriver identification cards; authorizing the director of vehicles to provide a list of veterans' information to KCVA.

02/12/2013 House—Introduced—HJ 190

02/13/2013 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 193

02/20/2013 House—Hearing: Tuesday, February 26, 2013, 9:00 AM Room 152-S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Veterans, Military and Homeland Security—HJ 283

03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351

H 2310 Bill by Transportation

Highway advertising; permitting spot zoning.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Transportation—HJ 193

02/15/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 582-N

H 2311 Bill by Transportation

Increasing delinquent registration fees.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Transportation—HJ 193

02/13/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 280

02/28/2013 House—Committee of the Whole - Be passed—HJ 308

03/01/2013 House—Final Action - Not passed; Yea: 24 Nay: 99—HJ 338

H 2312 Bill by Insurance

Kansas uninsurable health insurance plan; increase in life time limit.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Insurance—HJ 193

02/13/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 152-S

02/26/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance—HJ 278

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 321

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 248

03/07/2013 Senate—Hearing: Thursday, March 14, 2013, 9:30 AM Room 546-S

03/20/2013 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—

(SJ & HJ Nos. refer to 2013 Senate and House Journals)

SJ 350

03/21/2013 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 364

04/03/2013 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 569

H 2313 Bill by Elections

Governmental ethics; local units of government; rural water district exclusion.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Elections—HJ 193

H 2314 Bill by Elections

Ethics; lobbyist reporting requirements; gifts to public officials.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Elections—HJ 193

02/15/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 281-N

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 274

02/28/2013 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 4 Nay: 118—HJ 316

03/06/2013 House—Stricken from Calendar by Rule 1507—HJ 351

H 2315 Bill by Commerce, Labor and Economic Development

Relating to trespass and liability exceptions.

02/12/2013 House—Introduced—HJ 191

02/13/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 193

H 2316 Bill by Judiciary

Relating to court-appointed special advocates.

02/13/2013 House—Introduced—HJ 192

02/14/2013 House—Referred to Committee on Judiciary—HJ 213

H 2317 Bill by Representative Siegfroid

Insurance; coverage for autism spectrum disorder.

02/13/2013 House—Introduced—HJ 193

02/14/2013 House—Referred to Committee on Insurance—HJ 213

H 2318 Bill by Transportation

Authorizing use of motorcycle headlamp modulation systems and side lamps.

02/13/2013 House—Introduced—HJ 193

02/14/2013 House—Referred to Committee on Transportation—HJ 213

02/15/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 280

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 309

03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 339

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Transportation—SJ 248

03/13/2013 Senate—Hearing: Wednesday, March 20, 2013, 8:30 AM Room 546-S

03/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 350
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 382
 03/25/2013 House—Concurred with amendments; Yea: 121 Nay: 0—HJ 513
 04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—HJ 607
 04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2319 Bill by Taxation**Creating the coalition of innovative districts act.**

02/13/2013 House—Introduced—HJ 193
 02/14/2013 House—Referred to Committee on Education—HJ 213
 02/15/2013 House—Hearing: Tuesday, February 19, 2013, 1:30 PM Room 112-N
 02/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 261
 03/07/2013 House—Committee of the Whole - Be passed as amended—HJ 355
 03/08/2013 House—Final Action - Passed as amended; Yea: 74 Nay: 47—HJ 363
 03/11/2013 Senate—Received and Introduced—SJ 253
 03/12/2013 Senate—Referred to Committee on Education—SJ 260
 03/13/2013 Senate—Hearing: Thursday, March 14, 2013, 1:30 PM Room 144-S
 03/18/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 300
 03/20/2013 Senate—Committee of the Whole - Be passed as amended—SJ 351
 03/21/2013 Senate—Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 369
 04/02/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kelley, Representative Cassidy and Representative Trimmer as conferees—HJ 604
 04/02/2013 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and Senator Hensley appointed as conferees—SJ 533
 04/04/2013 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 11—SJ 584
 04/05/2013 House—Conference Committee Report was adopted; Yea: 71 Nay: 47—HJ 686
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/22/2013 House—Approved by Governor on Monday, 22 April 2013—HJ 881

H 2320 Bill by Taxation**Creating the Kansas public charter school act.**

02/13/2013 House—Introduced—HJ 204
 02/14/2013 House—Referred to Committee on Education—HJ 213
 02/20/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 112-N

H 2321 Bill by Agriculture and Natural Resources**Standards for use of graywater.**

02/13/2013 House—Introduced—HJ 205
 02/14/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 213

02/15/2013 House—Hearing: Tuesday, February 19, 2013, 3:30 PM Room 346-S

H 2322 Bill by Health and Human Services

Relating to the division of health of the department of health and environment.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Health and Human Services—HJ 213

02/14/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 546-S

02/20/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 253

02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 293

02/28/2013 House—Final Action - Passed as amended; Yea: 118 Nay: 6—HJ 307

02/28/2013 Senate—Received and Introduced—SJ 231

03/01/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 243

03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 1:30 PM Room 118-N

03/21/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 487

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 881

H 2323 Bill by Representative Winn

Indexing the minimum wage to the CPI.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 213

H 2324 Bill by Representatives DeGraaf, Alcalá, Bideau, Bradford, Brunk, Campbell, Carpenter, Christmann, Crum, Dove, Edwards, Garber, Goico, Gonzalez, Hedke, Hermanson, Hibbard, Houser, Howell, Huebert, Hutton, Kelley, Montgomery, O'Brien, Pauls, Peck, Read, Rhoades, Rothlisberg, Seiwert, Sutton, Thimesch

Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Federal and State Affairs—HJ 213

03/25/2013 House—Hearing: Tuesday, March 26, 2013, 8:00 AM Room 582-N

H 2325 Bill by Appropriations

State employees; abolishing longevity bonus payments.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Appropriations—HJ 213

02/20/2013 House—Withdrawn from Committee on Appropriations; Referred to Committee on General Government Budget—HJ 244

H 2326 Bill by Commerce, Labor and Economic Development

VoIP and IP enabled services.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 213

02/14/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 346-S

02/25/2013 House—Committee Report recommending bill be passed as amended by
Committee on Commerce, Labor and Economic Development—HJ 261

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 310

03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 339

03/01/2013 Senate—Received and Introduced—SJ 244

03/06/2013 Senate—Referred to Committee on Commerce—SJ 245

03/06/2013 Senate—Hearing: Wednesday, March 06, 2013, 8:30 AM Room 548-S

03/12/2013 Senate—Committee Report recommending bill be passed by Committee
on Commerce—SJ 263

03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463

03/27/2013 Senate—Final Action - Passed; Yea: 37 Nay: 1—SJ 488

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 881

H 2327 Bill by Representatives Sawyer, Ballard, Carlin, Davis, Finney, Grant, Henderson,
Houston, Kuether, Menghini, Pauls, Trimmer, Weigel, Whipple, Wilson,
Winn

Enacting the food sales tax refund.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Taxation—HJ 213

H 2328 Bill by Representatives Sawyer, Ballard, Carlin, Davis, Finney, Grant, Henderson,
Houston, Kuether, Menghini, Pauls, Trimmer, Victors, Weigel, Whipple,
Wilson, Winn

Providing homestead property tax refunds for renters.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Taxation—HJ 213

H 2329 Bill by Representatives Menghini, Ballard, Carlin, Davis, Finney, Frownfelter, Grant,
Henderson, Houston, Kuether, Lusk, Sawyer, Trimmer, Victors, Weigel,
Whipple, Wilson, Winn

Earned income tax credit increased.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Taxation—HJ 213

H 2330 Bill by Representatives Jones, Barker, Brunk, Couture-Lovelady, Dove, Edwards,
Huebert, Kinzer, Macheers, Mast, Meigs, Osterman, Powell, Rhoades,
Ryckman Jr., Ryckman Sr., Siegfried

Relating to marriage licenses.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Appropriations—HJ 213

H 2331 Bill by Representatives Davis, Alcala, Bridges, Burroughs, Carlin, Finney, Henry,
Kuether, Meier, Menghini, Ruiz, Sawyer, Sloop, Trimmer, Weigel,
Whipple, Wilson, Winn, Wolfe Moore

Providing for Kansas income tax credit for certain adoption expenses.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Taxation—HJ 213

H 2332 Bill by Energy and Environment

State corporation commission; relating to the promulgation of rules and regulations concerning horizontal drilling and hydraulic fracturing.

02/13/2013 House—Introduced—HJ 205

02/14/2013 House—Referred to Committee on Energy and Environment—HJ 213

H 2333 Bill by Representatives Davis, Alcala, Bridges, Burroughs, Carlin, Finney, Henry, Houston, Kuether, Lane, Meier, Menghini, Ruiz, Sawyer, Sloop, Trimmer, Victors, Weigel, Whipple, Wilson, Winn, Wolfe Moore

Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Taxation—HJ 213

H 2334 Bill by Representatives Davis, Burroughs, Grant, Houston, Sawyer, Whipple
Requiring prevailing wage for public works projects.

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Appropriations—HJ 213

H 2335 Bill by Representatives Kelley, Boldra, Cassidy, Claeys, DeGraaf, Ewy, Garber, Kahrs, Macheers, Rothlisberg, Ryckman Sr., Seiwert, Sutton, Thimesch, Waymaster

Establishing a program for drug screening for cash assistance recipients.

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Social Services Budget—HJ 213

H 2336 Bill by Judiciary

Relating to the open meetings act.

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Judiciary—HJ 213

02/25/2013 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 258

02/26/2013 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 267

H 2337 Bill by Appropriations

Lottery, gaming, parimutuel winnings, debt set off; child support.

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Appropriations—HJ 213

H 2338 Bill by Appropriations

Courts; docket fees.

02/13/2013 House—Introduced—HJ 206

02/14/2013 House—Referred to Committee on Appropriations—HJ 213

02/25/2013 House—Hearing: Wednesday, February 27, 2013, 9:00 AM Room 112-N—HJ 261

03/18/2013 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 412

03/25/2013 House—Committee of the Whole - Be passed as amended—HJ 514
 03/26/2013 House—Final Action - Passed as amended; Yea: 67 Nay: 52—HJ 539
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Ways and Means—SJ 477

H 2339 Bill by Insurance**Combining life insurance with certain additional health related riders, insurance agents-lines of insurance, health insurance for certain firefighters and law enforcement officers.**

02/14/2013 House—Introduced—HJ 212
 02/15/2013 House—Referred to Committee on Insurance—HJ 222
 02/15/2013 House—Hearing: Monday, February 18, 2013, 3:30 PM Room 152-S
 02/25/2013 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance—HJ 263
 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 296
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 243
 03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 9:30 AM Room 546-S
 03/20/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 348
 03/25/2013 Senate—Committee of the Whole - Be passed as amended—SJ 395
 03/26/2013 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 433
 03/26/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Shultz, Representative Hermanson and Representative Finney as conferees—HJ 586
 03/27/2013 Senate—Motion to accede adopted; Senator Olson, Senator Longbine and Senator Hawk appointed as conferees—SJ 489
 04/03/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 569
 04/05/2013 House—Point of order was raised. Conference committee report was ruled in order.—HJ 814
 04/05/2013 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 821
 04/05/2013 House—Conference Committee Report was adopted; Yea: 116 Nay: 4—HJ 821
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883
 04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

H 2340 Bill by Commerce, Labor and Economic Development**Kansas employment first initiative act.**

02/14/2013 House—Introduced—HJ 213
 02/15/2013 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 222

H 2341 Bill by Commerce, Labor and Economic Development**Allowing court reporters licensed in another state to take depositions in Kansas.**

02/14/2013 House—Introduced—HJ 213
 02/15/2013 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 222

H 2342 Bill by Judiciary**Political action committees; legislative leadership.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Elections—HJ 222

H 2343 Bill by Health and Human Services**Relating to the secretary of health and environment; office of laboratory services.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Health and Human Services—HJ 222

02/26/2013 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 282

02/28/2013 House—Committee of the Whole - Be passed—HJ 309

03/01/2013 House—Final Action - Passed; Yea: 89 Nay: 34—HJ 340

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 248

03/13/2013 Senate—Hearing: Monday, March 18, 2013, 1:30 PM Room 118-N

03/19/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 333

H 2344 Bill by Agriculture and Natural Resources**Adding certain agricultural production NAICS subsectors to the definition of "qualified firm" for purposes of the high performance incentive program.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Taxation—HJ 222

H 2345 Bill by Judiciary**Distribution of certain license application fees and fines from DUI and related offenses to community corrections and court services.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Judiciary—HJ 222

02/18/2013 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 231

02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 152-S

H 2346 Bill by Federal and State Affairs**Attorney general; open government unit.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Judiciary—HJ 222

H 2347 Bill by Taxation**Mortgage registration fees; verification of indebtedness.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Taxation—HJ 222

H 2348 Bill by Children and Seniors**Adult care homes; staffing; inspections; admissions; reporting; penalties.**

02/14/2013 House—Introduced—HJ 218

02/15/2013 House—Referred to Committee on Children and Seniors—HJ 222
 02/20/2013 House—Hearing: Tuesday, February 26, 2013, 9:00 AM Room 218-N

H 2349 Bill by Education

School districts; audit by legislative post audit committee.

02/14/2013 House—Introduced—HJ 218
 02/15/2013 House—Referred to Committee on Education—HJ 222
 02/15/2013 House—Hearing: Monday, February 18, 2013, 1:30 PM Room 112-N
 02/18/2013 House—Hearing: Wednesday, February 20, 2013, 1:30 PM Room 112-N
 02/25/2013 House—Committee Report recommending bill be passed as amended by
 Committee on Education—HJ 262
 02/27/2013 House—Committee of the Whole - Be passed as amended—HJ 291
 02/28/2013 House—Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 307
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Education—SJ 243
 03/06/2013 Senate—Hearing: Thursday, March 14, 2013, 1:30 PM Room 144-S
 03/19/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Education—SJ 306
 03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375
 03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—
 SJ 383
 04/01/2013 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kelley, Representative Cassidy and
 Representative Trimmer as conferees—HJ 602
 04/01/2013 Senate—Motion to accede adopted; Senator Abrams, Senator Arpke and
 Senator Hensley appointed as conferees—SJ 497
 04/05/2013 House—Concurred with amendments in conference; Yea: 118 Nay: 2—HJ
 830
 04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—
 HJ 883
 04/16/2013 House—Approved by Governor on Tuesday, 16 April 2013—HJ 881

H 2350 Bill by Education

Removing the authority to receive certain federal aid for educational purposes.

02/14/2013 House—Introduced—HJ 218
 02/15/2013 House—Referred to Committee on Education Budget—HJ 222

H 2351 Bill by Appropriations

Appropriations for DD waiver for FY 2014 and 2015.

02/14/2013 House—Introduced—HJ 218
 02/15/2013 House—Referred to Committee on Appropriations—HJ 222

H 2352 Bill by Pensions and Benefits

**Maximum benefits increased for certain members of the Kansas police and
 firemen's retirement system.**

02/14/2013 House—Introduced—HJ 218
 02/15/2013 House—Referred to Committee on Pensions and Benefits—HJ 222
 02/18/2013 House—Hearing: Wednesday, February 20, 2013, 9:00 AM Room 152-S
 02/25/2013 House—Committee Report recommending bill be passed by Committee on
 Pensions and Benefits—HJ 264

02/27/2013 House—Committee of the Whole - Be passed—HJ 293
 02/28/2013 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 308
 02/28/2013 Senate—Received and Introduced—SJ 231
 03/01/2013 Senate—Referred to Committee on Ways and Means—SJ 243
 03/19/2013 Senate—Hearing: Thursday, March 21, 2013, 10:30 AM Room 548-S
 03/25/2013 Senate—Committee Report recommending bill be passed as amended by
 Committee on Ways and Means—SJ 413

H 2353 Bill by Corrections and Juvenile Justice

Adding certain controlled substances as schedule I drugs.

02/14/2013 House—Introduced—HJ 218
 02/15/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 222
 02/20/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 152-S
 02/27/2013 House—Committee Report recommending bill be passed by Committee on
 Corrections and Juvenile Justice—HJ 292
 03/01/2013 House—Committee of the Whole - Be passed—HJ 341
 03/01/2013 House—Emergency Final Action - Passed; Yea: 121 Nay: 0—HJ 345
 03/06/2013 Senate—Received and Introduced—SJ 246
 03/07/2013 Senate—Referred to Committee on Judiciary—SJ 248
 03/07/2013 Senate—Hearing: Wednesday, March 13, 2013, 10:30 AM Room 346-S
 03/19/2013 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 307
 03/26/2013 Senate—Committee of the Whole - Be passed—SJ 463
 03/27/2013 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 488
 04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—
 HJ 879
 04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 881

H 2354 Bill by Appropriations

Ethics commission; fees.

02/14/2013 House—Introduced—HJ 219
 02/15/2013 House—Referred to Committee on Elections—HJ 222
 02/18/2013 House—Withdrawn from Committee on Elections; Referred to Committee
 on General Government Budget—HJ 231
 02/18/2013 House—Hearing: Friday, February 22, 2013, 1:30 PM Room 218-N
 02/26/2013 House—Committee Report recommending bill be passed by Committee on
 General Government Budget—HJ 274

H 2355 Bill by Taxation

Enacting the Kansas Fair Tax Act of 2013.

02/14/2013 House—Introduced—HJ 219
 02/15/2013 House—Referred to Committee on Taxation—HJ 222

H 2356 Bill by Veterans, Military and Homeland Security

Providing for the issuance of the honor and remembered license plate.

02/15/2013 House—Introduced—HJ 221
 02/18/2013 House—Referred to Committee on Transportation—HJ 231
 02/22/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 582-N

H 2357 Bill by Transportation**242nd engineer company - KS army national guard - highway.**

02/15/2013 House—Introduced—HJ 221

02/18/2013 House—Referred to Committee on Transportation—HJ 231

02/22/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 582-N

02/26/2013 House—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Transportation—HJ 280

03/01/2013 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 321

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Transportation—SJ 248

03/13/2013 Senate—Hearing: Tuesday, March 19, 2013, 8:30 AM Room 546-S

03/20/2013 Senate—Committee Report recommending bill be passed as amended by
Committee on Transportation—SJ 350

03/21/2013 Senate—Committee of the Whole - Be passed as amended—SJ 375

03/21/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—
SJ 383

03/25/2013 House—Concurred with amendments; Yea: 121 Nay: 0—HJ 513

04/02/2013 House—Enrolled and presented to Governor on Tuesday, April 02, 2013—
HJ 607

04/04/2013 House—Approved by Governor on Thursday, 04 April 2013—HJ 654

H 2358 Bill by Transportation**Establishing a safety corridor program.**

02/15/2013 House—Introduced—HJ 222

02/18/2013 House—Referred to Committee on Transportation—HJ 231

H 2359 Bill by Appropriations**Plant protection; live plant dealer's licenses.**

02/15/2013 House—Introduced—HJ 222

02/18/2013 House—Referred to Committee on Agriculture and Natural Resources—
HJ 231

02/18/2013 House—Hearing: Wednesday, February 20, 2013, 3:30 PM Room 346-S

H 2360 Bill by Veterans, Military and Homeland Security**Relating to stays of mortgage foreclosure proceedings against servicemembers.**

02/15/2013 House—Introduced—HJ 222

02/18/2013 House—Referred to Committee on Appropriations—HJ 231

H 2361 Bill by Judiciary**Relating to low-profit limited liability companies.**

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Judiciary—HJ 231

H 2362 Bill by Agriculture and Natural Resources**Amending the provisions of the nongame and endangered species conservation
act.**

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Agriculture and Natural Resources—
HJ 231

02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 346-S

H 2363 Bill by Agriculture and Natural Resources

Water; wastewater regulations for sand and gravel; streams, dams and water obstructions.

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 231

02/20/2013 House—Hearing: Monday, February 25, 2013, 3:30 PM Room 346-S

02/26/2013 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 281

02/28/2013 House—Committee of the Whole - Be passed as amended—HJ 308

03/01/2013 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 340

03/01/2013 Senate—Received and Introduced—SJ 244

03/07/2013 Senate—Referred to Committee on Natural Resources—SJ 248

03/12/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S

03/14/2013 Senate—Hearing: Friday, March 15, 2013, 8:30 AM Room 159-S

03/25/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 403

03/26/2013 Senate—Committee of the Whole - Be passed as amended—SJ 463

03/27/2013 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 488

04/01/2013 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Schwartz, Representative Hoffman and Representative Victors as conferees—HJ 602

04/01/2013 Senate—Motion to accede adopted; Senator Powell, Senator Kerschen and Senator Francisco appointed as conferees—SJ 497

04/04/2013 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 593

04/05/2013 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 688

04/12/2013 House—Enrolled and presented to Governor on Friday, April 12, 2013—HJ 883

04/17/2013 House—Approved by Governor on Wednesday, 17 April 2013—HJ 881

H 2364 Bill by General Government Budget

The resolution for a constitutional amendment shall be published on the official website of the secretary of state's office and the state of Kansas, not in each county newspaper.

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Elections—HJ 231

03/13/2013 House—Hearing: Wednesday, March 20, 2013, 1:30 PM Room 281-N

H 2365 Bill by Energy and Environment

Property and conservation easements.

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Energy and Environment—HJ 231

H 2366 Bill by Energy and Environment

Use of public funds to promote sustainable development.

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Energy and Environment—HJ 231

H 2367 Bill by Energy and Environment**Energy; relating to wind turbine siting setback requirements.**

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Energy and Environment—HJ 231

H 2368 Bill by Health and Human Services**Relating to the governor's mental health services planning council.**

02/15/2013 House—Introduced—HJ 227

02/18/2013 House—Referred to Committee on Health and Human Services—HJ 231

02/18/2013 House—Hearing: Friday, February 22, 2013, 1:30 PM Room 546-S

02/25/2013 House—Hearing: Monday, February 25, 2013, 1:30 PM Room 546-S—HJ 261

02/27/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 292

03/01/2013 House—Committee of the Whole - Be passed as amended—HJ 341

03/01/2013 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 344

03/06/2013 Senate—Received and Introduced—SJ 246

03/07/2013 Senate—Referred to Committee on Public Health and Welfare—SJ 248

03/08/2013 Senate—Hearing: Friday, March 15, 2013, 1:30 PM Room 118-N

03/19/2013 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 333

03/25/2013 Senate—Committee of the Whole - Be passed—SJ 395

03/26/2013 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 433

04/05/2013 House—Enrolled and presented to Governor on Friday, April 05, 2013—HJ 879

04/11/2013 House—Approved by Governor on Wednesday, 10 April 2013—HJ 881

H 2369 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.**

02/18/2013 House—Introduced—HJ 230

02/19/2013 House—Referred to Committee on Taxation—HJ 239

03/06/2013 House—Hearing: Wednesday, March 13, 2013, 3:30 PM Room 582-N

03/25/2013 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 531

H 2370 Bill by Taxation**Income tax treatment of net operating loss carryback on the sale of certain hotels.**

02/18/2013 House—Introduced—HJ 230

02/19/2013 House—Referred to Committee on Taxation—HJ 239

H 2371 Bill by Appropriations**Low-income family postsecondary savings accounts incentive program; elimination of program.**

02/18/2013 House—Introduced—HJ 230

02/19/2013 House—Referred to Committee on General Government Budget—HJ 239

02/20/2013 House—Hearing: Tuesday, February 26, 2013, 1:30 PM Room 218-N
 02/27/2013 House—Hearing: Thursday, March 07, 2013, 1:30 PM Room 218-N
 03/18/2013 House—Committee Report recommending bill be passed by Committee on
 General Government Budget—HJ 414

H 2372 Bill by Federal and State Affairs

Fluoride in water; cities other local units; disclosures.

02/18/2013 House—Introduced—HJ 236

02/19/2013 House—Referred to Committee on Health and Human Services—HJ 239

H 2373 Bill by Federal and State Affairs

Awarding of high school diplomas to certain persons.

02/18/2013 House—Introduced—HJ 236

02/19/2013 House—Referred to Committee on Federal and State Affairs—HJ 239

03/13/2013 House—Hearing: Monday, March 18, 2013, 9:00 AM Room 346-S

H 2374 Bill by Federal and State Affairs

Relating to substance abuse services.

02/18/2013 House—Introduced—HJ 236

02/19/2013 House—Referred to Committee on Health and Human Services—HJ 239

H 2375 Bill by Appropriations

School sports head injury prevention act.

02/19/2013 House—Introduced—HJ 228

02/20/2013 House—Referred to Committee on Health and Human Services—HJ 244

H 2376 Bill by Taxation

Kansas apology and disclosure of unanticipated medical outcomes and medical errors act.

02/20/2013 House—Introduced—HJ 254

02/22/2013 House—Referred to Committee on Health and Human Services—HJ 256

H 2377 Bill by Appropriations

Relating to court fees and costs; judicial branch surcharge fund.

02/20/2013 House—Introduced—HJ 254

02/22/2013 House—Referred to Committee on Appropriations—HJ 256

02/25/2013 House—Hearing: Wednesday, February 27, 2013, 9:00 AM Room 112-N
 —HJ 261

03/18/2013 House—Committee Report recommending bill be passed by Committee on
 Appropriations—HJ 412

03/25/2013 House—Committee of the Whole - Be passed—HJ 514

03/26/2013 House—Final Action - Passed; Yea: 118 Nay: 1—HJ 539

03/26/2013 Senate—Received and Introduced—SJ 425

03/27/2013 Senate—Referred to Committee on Ways and Means—SJ 477

H 2378 Bill by Taxation

Sales tax exemption for sales of certain machinery and equipment used for surface mining activities.

02/25/2013 House—Introduced—HJ 258

02/26/2013 House—Referred to Committee on Taxation—HJ 267

03/13/2013 House—Hearing: Monday, March 18, 2013, 3:30 PM Room 582-N
 03/22/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 507
 03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 566
 03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 18—HJ 583
 03/27/2013 Senate—Received and Introduced—SJ 478
 04/01/2013 Senate—Referred to Committee on Assessment and Taxation—SJ 491

H 2379 Bill by Taxation

Recognizing certain gold and silver coins as legal tender; income tax, modifications; sales tax, exemptions.

02/26/2013 House—Introduced—HJ 266
 02/27/2013 House—Referred to Committee on Taxation—HJ 285
 03/13/2013 House—Hearing: Tuesday, March 19, 2013, 3:30 PM Room 582-N
 03/20/2013 House—Hearing: Friday, March 22, 2013, 3:30 PM Room 582-N
 03/25/2013 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 529

H 2380 Bill by Appropriations

Three-year phase in of cost-of-living adjustment for certain retired members of KPERS.

02/26/2013 House—Introduced—HJ 281
 02/27/2013 House—Referred to Committee on Pensions and Benefits—HJ 285

H 2381 Bill by Appropriations

Election campaign finance; removing certain limitations to contributions made during legislative sessions.

02/27/2013 House—Introduced—HJ 293
 02/28/2013 House—Referred to Committee on Elections—HJ 295
 03/13/2013 House—Hearing: Thursday, March 14, 2013, 1:30 PM Room 281-N
 03/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 427
 03/22/2013 House—Committee of the Whole - Be passed as amended—HJ 476
 03/25/2013 House—Final Action - Passed as amended; Yea: 100 Nay: 21—HJ 511
 03/25/2013 Senate—Received and Introduced—SJ 391
 03/26/2013 Senate—Referred to Committee on Ways and Means—SJ 421

H 2382 Bill by Taxation

Tax liens upon personal property.

02/28/2013 House—Introduced—HJ 309
 03/01/2013 House—Referred to Committee on Taxation—HJ 319
 03/06/2013 House—Hearing: Monday, March 11, 2013, 3:30 PM Room 582-N

H 2383 Bill by Taxation

Investment standards and divestment procedures for KPERS related to Iran.

02/28/2013 House—Introduced—HJ 309
 03/01/2013 House—Referred to Committee on Pensions and Benefits—HJ 319

H 2384 Bill by Appropriations

On July 1, 2013, all new hires and state agency attorneys, supervisors and positions that perform information technology functions are unclassified; certain exceptions.

02/28/2013 House—Introduced—HJ 318
 03/01/2013 House—Referred to Committee on Appropriations—HJ 319
 03/01/2013 House—Hearing: Friday, March 08, 2013, 9:00 AM Room 112-N
 03/08/2013 House—Hearing: Monday, March 11, 2013, 8:00 AM Room 112-N
 03/19/2013 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 426

H 2385 Bill by Taxation

Property tax exemption and classification for property used for bed and breakfast purposes.

02/28/2013 House—Introduced—HJ 318
 03/01/2013 House—Referred to Committee on Taxation—HJ 319
 03/13/2013 House—Hearing: Tuesday, March 19, 2013, 3:30 PM Room 582-N

H 2386 Bill by Taxation

Income tax deduction for certain expenses related to living donor organ donations.

02/28/2013 House—Introduced—HJ 318
 03/01/2013 House—Referred to Committee on Taxation—HJ 319
 03/06/2013 House—Withdrawn from Committee on Taxation; Referred to Committee on Health and Human Services—HJ 351
 03/06/2013 House—Hearing: Thursday, March 07, 2013, 1:30 PM Room 546-S
 03/22/2013 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 502

H 2387 Bill by Federal and State Affairs

Clarifying that felony murder is not a lesser included offense of capital murder.

02/28/2013 House—Introduced—HJ 318
 03/01/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 319
 03/08/2013 House—Hearing: Thursday, March 14, 2013, 1:30 PM Room 152 - S
 03/20/2013 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 458
 03/25/2013 House—Committee of the Whole - Be passed—HJ 514
 03/26/2013 House—Final Action - Passed; Yea: 117 Nay: 2—HJ 540
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Judiciary—SJ 477

H 2388 Bill by Federal and State Affairs

Supreme Court review of errors in capital murder cases.

02/28/2013 House—Introduced—HJ 318
 03/01/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 319
 03/08/2013 House—Hearing: Thursday, March 14, 2013, 1:30 PM Room 152 - S
 03/14/2013 House—Hearing: Friday, March 15, 2013, 11:00 AM Room 152-S

H 2389 Bill by Federal and State Affairs

Capital murder; notice of intent to seek the death penalty.

02/28/2013 House—Introduced—HJ 318

03/01/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 319

03/08/2013 House—Hearing: Thursday, March 14, 2013, 1:30 PM Room 152 - S

03/14/2013 House—Hearing: Friday, March 15, 2013, 11:00 AM Room 152-S

03/22/2013 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 485

03/25/2013 House—Committee of the Whole - Be passed—HJ 514

03/26/2013 House—Final Action - Passed; Yea: 118 Nay: 1—HJ 540

03/26/2013 Senate—Received and Introduced—SJ 425

03/27/2013 Senate—Referred to Committee on Judiciary—SJ 477

H 2390 Bill by Federal and State Affairs**Amending the physician assistant licensure act.**

03/01/2013 House—Introduced—HJ 349

03/06/2013 House—Referred to Committee on Health and Human Services—HJ 351

H 2391 Bill by Appropriations**Senate Substitute for HB 2391 by Committee on Ways and Means - Creating the joint committee on uniform educational standards oversight.**

03/07/2013 House—Introduced—HJ 353

03/08/2013 House—Referred to Committee on Appropriations—HJ 363

03/13/2013 House—Withdrawn from Committee on Appropriations; Referred to Committee on Education Budget—HJ 382

03/19/2013 House—Hearing: Thursday, March 21, 2013, 3:30 PM Room 281-N

03/22/2013 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 486

03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 558

03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 64 Nay: 57—HJ 576

03/27/2013 Senate—Received and Introduced—SJ 478

04/01/2013 Senate—Referred to Committee on Ways and Means—SJ 491

05/31/2013 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1015

06/01/2013 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1018

06/01/2013 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 12—SJ 1018

H 2392 Bill by Appropriations**School finance; use of capital outlay funds.**

03/07/2013 House—Introduced—HJ 353

03/08/2013 House—Referred to Committee on Appropriations—HJ 363

H 2393 Bill by Federal and State Affairs**Concerning license plates and placards for persons with disability; penalties.**

03/07/2013 House—Introduced—HJ 353

03/08/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 363

03/13/2013 House—Hearing: Monday, March 18, 2013, 1:30 PM Room 152-S

H 2394 Bill by Federal and State Affairs

Prohibiting the use of drones by law enforcement.

03/07/2013 House—Introduced—HJ 353

03/08/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 363

H 2395 Bill by Appropriations

Insurance; coverage for autism spectrum disorder.

03/08/2013 House—Introduced—HJ 371

03/11/2013 House—Referred to Committee on Insurance—HJ 374

03/13/2013 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 389

H 2396 Bill by Appropriations

Establishing procedures for identifying state surplus real estate and the disposition thereof; also authorizing certain Emporia State University and University of Kansas real estate transfers.

03/08/2013 House—Introduced—HJ 371

03/11/2013 House—Referred to Committee on General Government Budget—HJ 374

03/19/2013 House—Hearing: Wednesday, March 20, 2013, 1:30 PM Room 218-N

03/22/2013 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 502

03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 572

03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 584

03/27/2013 Senate—Received and Introduced—SJ 478

04/01/2013 Senate—Referred to Committee on Ways and Means—SJ 491

05/08/2013 Senate—Hearing: Thursday, May 09, 2013, Upon First Recess of the Senate: Room 548-S

H 2397 Bill by Federal and State Affairs

Abolishing the death penalty; creating the crime of aggravated murder.

03/08/2013 House—Introduced—HJ 371

03/11/2013 House—Referred to Committee on Federal and State Affairs—HJ 374

H 2398 Bill by Federal and State Affairs

Relating to the Kansas revised limited liability company act.

03/08/2013 House—Introduced—HJ 371

03/11/2013 House—Referred to Committee on Judiciary—HJ 374

03/13/2013 House—Hearing: Monday, March 18, 2013, 3:30 PM Room 112-N

H 2399 Bill by Federal and State Affairs

Civil action for damages for criminal act; trespass and liability.

03/12/2013 House—Introduced—HJ 378

03/13/2013 House—Referred to Committee on Judiciary—HJ 382

H 2400 Bill by Taxation

Enacting the corporate education tax credit scholarship program act.

03/12/2013 House—Introduced—HJ 378
 03/13/2013 House—Referred to Committee on Taxation—HJ 382
 03/13/2013 House—Withdrawn from Committee on Taxation; Referred to Committee on Education—HJ 382
 03/14/2013 House—Hearing: Monday, March 18, 2013, 1:30 PM Room 112-N

H 2401 Bill by Federal and State Affairs

Municipalities; elections; odd-numbered years; cities; school districts by district.

03/13/2013 House—Introduced—HJ 389
 03/14/2013 House—Referred to Committee on Elections—HJ 391

H 2402 Bill by Appropriations

National day of the cowboy.

03/13/2013 House—Introduced—HJ 389
 03/14/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 391
 03/14/2013 House—Hearing: Wednesday, March 20, 2013, 3:30 PM Room 346-S
 03/25/2013 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 521

H 2403 Bill by Appropriations

Issuing \$1,500,000,000 of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS.

03/18/2013 House—Introduced—HJ 406
 03/19/2013 House—Referred to Committee on Pensions and Benefits—HJ 421
 03/22/2013 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 503
 03/26/2013 House—Committee of the Whole - Be passed as amended—HJ 550
 03/26/2013 House—Emergency Final Action - Passed as amended; Yea: 73 Nay: 49—HJ 575
 03/27/2013 Senate—Received and Introduced—SJ 478
 04/01/2013 Senate—Referred to Committee on Ways and Means—SJ 491
 04/02/2013 Senate—Hearing: Wednesday, April 03, 2013, 9:00 AM Room 548-S
 04/04/2013 Senate—Hearing: Friday, April 05, 2013, 9:00 AM Room 548-S
 04/05/2013 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 846

H 2404 Bill by Taxation

Amending definitions related to agricultural corporations and repealing certain agricultural corporation statutes.

03/18/2013 House—Introduced—HJ 417
 03/19/2013 House—Referred to Committee on Agriculture and Natural Resources—HJ 421
 03/19/2013 House—Hearing: Wednesday, March 20, 2013, 3:30 PM Room 346-S
 03/21/2013 House—Hearing: Thursday, March 21, 2013, 3:30 PM Room 346-S

H 2405 Bill by Appropriations

Sales and compensating use tax; distribution of revenues.

03/19/2013 House—Introduced—HJ 431
 03/20/2013 House—Referred to Committee on Taxation—HJ 441

- H 2406** Bill by Federal and State Affairs
State owned and operated casino; north central Kansas gaming zone; Geary county.
03/19/2013 House—Introduced—HJ 432
03/20/2013 House—Referred to Committee on Federal and State Affairs—HJ 441
- H 2407** Bill by Taxation
Sales tax exemption for business property construction.
03/19/2013 House—Introduced—HJ 436
03/20/2013 House—Referred to Committee on Taxation—HJ 441
- H 2408** Bill by Appropriations
Sales tax exemption for food and food ingredients.
03/20/2013 House—Introduced—HJ 449
03/21/2013 House—Referred to Committee on Taxation—HJ 461
- H 2409** Bill by Taxation
Income tax credit for alternative fueled motor vehicle property expenditures; defining liquified and compressed natural gas as alternative fuel; increasing the credit for alternative fuel fueling stations.
03/21/2013 House—Introduced—HJ 460
03/22/2013 House—Referred to Committee on Taxation—HJ 470
- H 2410** Bill by Taxation
Renewable and alternative fuels and income tax credits.
03/21/2013 House—Introduced—HJ 461
03/22/2013 House—Referred to Committee on Taxation—HJ 470
- H 2411** Bill by Appropriations
Prohibiting governmental entities from purchasing aircraft unless such aircraft has been manufactured, assembled and sold in Kansas; excluding purchases for military purposes.
03/26/2013 House—Introduced—HJ 587
03/27/2013 House—Referred to Committee on Appropriations—HJ 590
- H 2412** Bill by Appropriations
Concerning utilities and approval of the construction of electric transmission lines.
04/04/2013 House—Introduced—HJ 631
04/05/2013 House—Referred to Committee on Appropriations—HJ 656
- H 2413** Bill by Appropriations
Renaming the court of tax appeals to the board of tax appeals; salary and removal of members; powers of the board.
05/09/2013 House—Introduced—HJ 886
05/10/2013 House—Referred to Committee on Taxation—HJ 926
- H 2414** Bill by Appropriations
Establishing a central filing system for security interests in farm products.

05/13/2013 House—Introduced—HJ 980

05/14/2013 House—Referred to Committee on Commerce, Labor and Economic
Development—HJ 981

H 2415 Bill by Federal and State Affairs

**Retirement system for judges; reducing retirement age of a judge to age 65 on
and after August 31, 2014.**

05/16/2013 House—Introduced—HJ 988

05/17/2013 House—Referred to Committee on Appropriations—HJ 997

H 2416 Bill by Federal and State Affairs

**Abolishing the court of appeals; establishing the court of criminal appeals and the
court of civil appeals; changing appellate court jurisdiction.**

05/23/2013 House—Introduced—HJ 1035

05/24/2013 House—Referred to Committee on Judiciary—HJ 1036

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5001** Concurrent Resolution by Representatives Merrick, Davis
Joint session for hearing a message of the governor.
 01/14/2013 House—Introduced—HJ 46
 01/14/2013 House—Adopted without roll call—HJ 46
 01/14/2013 Senate—Received and Introduced—SJ 48
 01/14/2013 Senate—Adopted without roll call—SJ 48
 01/29/2013 House—Enrolled and presented to Secretary of State on Tuesday, January 29, 2013—HJ 123
- H 5002** Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; abolishing the supreme court nominating commission.
 01/16/2013 House—Introduced—HJ 60
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N
 01/24/2013 House—Committee Report recommending resolution be adopted as amended by Committee on Judiciary—HJ 103
- H 5003** Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; providing for direct partisan election of supreme court justices and court of appeals judges; abolishing the supreme court nominating commission.
 01/16/2013 House—Introduced—HJ 66
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N
- H 5004** Concurrent Resolution by Judiciary
Constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; changing the membership of the supreme court nominating commission.
 01/16/2013 House—Introduced—HJ 69
 01/17/2013 House—Referred to Committee on Judiciary—HJ 81
 01/17/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N
- H 5005** Concurrent Resolution by Judiciary
Governor appoints supreme court justices, senate confirms; nominating commission membership amended; lifetime appointment, subject to removal for cause.
 01/17/2013 House—Introduced—HJ 77
 01/18/2013 House—Referred to Committee on Judiciary—HJ 83
 01/18/2013 House—Hearing: Tuesday, January 22, 2013, 3:30 PM Room 112-N
- H 5006** Concurrent Resolution by Representatives Peck, Bradford, Carpenter, Claeys, Hawkins, Hibbard, Houser, Kelly, Osterman, Rothlisberg
Constitutional amendment limiting terms of legislators to 12 consecutive years.
 01/30/2013 House—Introduced—HJ 120

01/31/2013 House—Referred to Committee on Elections—HJ 126

- H 5007** Concurrent Resolution by Commerce, Labor and Economic Development
Economic freedom amendment.
 01/30/2013 House—Introduced—HJ 121
 01/31/2013 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 126
 02/12/2013 House—Hearing: Wednesday, February 13, 2013, 1:30 PM Room 346-S
- H 5008** Concurrent Resolution by Transportation
**Encouraging KDOT to make engineering decisions based upon professional
 findings.**
 01/31/2013 House—Introduced—HJ 125
 02/01/2013 House—Referred to Committee on Transportation—HJ 136
- H 5009** Concurrent Resolution by Federal and State Affairs
Constitutional amendment; raffles by nonprofit organizations.
 01/31/2013 House—Introduced—HJ 131
 02/01/2013 House—Referred to Committee on Federal and State Affairs—HJ 135
- H 5010** Concurrent Resolution by Representatives Garber, Carpenter, Christmann, Crum,
 DeGraaf, Ewy, Goico, Hedke, Hoffman, Howell, Huebert, Montgomery,
 O'Brien, Peck, Rothlisberg, Seiwert, Thimesch
State constitutional amendment; human life amendment.
 02/05/2013 House—Introduced—HJ 147
 02/06/2013 House—Referred to Committee on Federal and State Affairs—HJ 151
- H 5011** Concurrent Resolution by Appropriations
A resolution to stop Kansas participation in the expansion of medicaid services.
 02/12/2013 House—Introduced—HJ 185
 02/13/2013 House—Referred to Committee on Appropriations—HJ 193
- H 5012** Concurrent Resolution by Representative Davis
**Revising article 10 of the Kansas constitution; establishing a redistricting
 commission.**
 02/13/2013 House—Introduced—HJ 206
 02/14/2013 House—Referred to Committee on Judiciary—HJ 213
- H 5013** Concurrent Resolution by Appropriations
**A resolution indicating the legislature's intention not to expand medicaid services
 in Kansas.**
 02/19/2013 House—Introduced—HJ 238
 02/20/2013 House—Referred to Committee on Appropriations—HJ 244
 02/20/2013 House—Hearing: Friday, February 22, 2013, 9:00 AM Room 112-N—HJ
 254
 02/26/2013 House—Committee Report recommending resolution be adopted by
 Committee on Appropriations—HJ 271
- H 5014** Concurrent Resolution by Energy and Environment
Urging approval of the Presidential Permit application allowing the construction

and operation of the TransCanada Keystone XL Pipeline.

- 03/08/2013 House—Introduced—HJ 361
 03/11/2013 House—Referred to Committee on Energy and Environment—HJ 374
 03/11/2013 House—Hearing: Thursday, March 14, 2013, 9:00 AM Room 582-N
 03/18/2013 House—Committee Report recommending resolution be adopted by Committee on Energy and Environment—HJ 414
 03/25/2013 House—Committee of the Whole - Be adopted—HJ 514
 03/26/2013 House—Final Action - Adopted; Yea: 108 Nay: 11—HJ 541
 03/26/2013 Senate—Received and Introduced—SJ 425
 03/27/2013 Senate—Referred to Committee on Utilities—SJ 477

- H 5015** Concurrent Resolution by Representatives Petty, Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore

Commending the business and philanthropic achievements of native Kansan, David G. Booth.

- 03/18/2013 House—Introduced—HJ 406
 03/18/2013 House—Adopted without roll call—HJ 406
 03/18/2013 Senate—Received and Introduced—SJ 299
 03/18/2013 Senate—Adopted without roll call—SJ 299
 03/22/2013 House—Enrolled and presented to Secretary of State on Friday, March 22, 2013—HJ 509

- H 5016** Concurrent Resolution by Representative Hildabrand
Making application to the U.S. congress to call a constitutional convention.
 03/19/2013 House—Introduced—HJ 432
 03/20/2013 House—Referred to Committee on Federal and State Affairs—HJ 441

- H 5017** Concurrent Resolution by Representatives Merrick, Davis
Adjournment of legislature for a time during the 2013 session.
 03/26/2013 House—Introduced—HJ 588
 03/26/2013 House—Adopted without roll call—HJ 588
 03/27/2013 Senate—Received and Introduced—SJ 478
 03/27/2013 Senate—Adopted without roll call—SJ 478
 04/04/2013 House—Enrolled and presented to Secretary of State on Thursday, April 04, 2013—HJ 654

- H 5018** Concurrent Resolution by Representative Goico
Honoring native Kansan, Army Chaplain Father Emil Kapaun, Medal of Honor winner.
04/05/2013 House—Introduced—HJ 832
05/09/2013 House—Adopted without roll call—HJ 885
05/09/2013 Senate—Received and Introduced—SJ 852
05/09/2013 Senate—Adopted without roll call—SJ 852
05/17/2013 House—Enrolled and presented to Secretary of State on Friday, May 17, 2013—HJ 1001
- H 5019** Concurrent Resolution by Federal and State Affairs
Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation, with lifetime terms; abolishing the supreme court nominating commission.
05/16/2013 House—Introduced—HJ 988
05/17/2013 House—Referred to Committee on Judiciary—HJ 997

TITLE AND HISTORY OF HOUSE RESOLUTIONS

- H 6001** Resolution by Representatives Merrick, Davis
Organization of the House of Representatives, 2013.
 01/14/2013 House—Introduced—HJ 17
 01/14/2013 House—Adopted without roll call—HJ 17
 01/18/2013 House—Enrolled on Friday, January 18, 2013—HJ 83
- H 6002** Resolution by Representatives Merrick, Davis
Assignment of seats in House of Representatives, 2013.
 01/14/2013 House—Introduced—HJ 18
 01/14/2013 House—Adopted without roll call—HJ 18
 01/18/2013 House—Enrolled on Friday, January 18, 2013
- H 6003** Resolution by Representatives Merrick, Davis
Rules of the House of Representatives, temporary 2013 session.
 01/14/2013 House—Introduced—HJ 18
 01/14/2013 House—Adopted without roll call—HJ 18
 01/18/2013 House—Enrolled on Friday, January 18, 2013
- H 6004** Resolution by Representatives Merrick, Davis
Rules of House of Representatives, permanent rules of the 2013-2014 biennium.
 01/14/2013 House—Introduced—HJ 20
 01/14/2013 House—Referred to Committee on Rules and Journal—HJ 46
 01/23/2013 House—Committee Report recommending resolution be adopted as amended by Committee on Rules and Journal—HJ 98
 01/24/2013 House—Committee of the Whole - Be adopted as amended—HJ 103
 01/28/2013 House—Final Action - Adopted as amended; Yea: 82 Nay: 40—HJ 108
 02/07/2013 House—Enrolled on Tuesday, February 05, 2013
- H 6005** Resolution by Representative Sutton
Resolution recognizing National Catholic Schools Week.
 01/30/2013 House—Introduced—HJ 122
 02/01/2013 House—Adopted without roll call—HJ 136
 02/07/2013 House—Enrolled on Thursday, February 07, 2013—HJ 167
- H 6006** Resolution by Representative Ward
Resolution disapproving Governor's executive reorganization order No. 42.
 01/31/2013 House—Introduced—HJ 132
 02/01/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 135
 03/13/2013 House—Motion to withdraw from Committee on Corrections and Juvenile Justice pending—HJ 383
 03/14/2013 House—Motion to withdraw from Committee on Corrections and Juvenile Justice not adopted; Yea: 35 Nay: 86—HJ 392
 06/20/2013 House—Died in Committee
- H 6007** Resolution by Federal and State Affairs
Designating the Official Robert (Bob) G. Bethell House of Representatives ballot box.

01/31/2013 House—Introduced—HJ 132
 02/11/2013 House—Adopted without roll call—HJ 180
 02/15/2013 House—Enrolled on Friday, February 15, 2013—HJ 228

H 6008 Resolution by Representative Vectors
Designating February 6th, 2013 as "Native American Legislative Day at the Capitol".

01/31/2013 House—Introduced—HJ 133
 02/06/2013 House—Adopted without roll call—HJ 153
 02/08/2013 House—Enrolled on Friday, February 08, 2013—HJ 177

H 6009 Resolution by Representative Swanson
Designating February 15, 2013 as "Emporia State University Day".

02/04/2013 House—Introduced—HJ 141
 02/19/2013 House—Adopted without roll call—HJ 239
 02/26/2013 House—Enrolled on Tuesday, February 26, 2013—HJ 284

H 6010 Resolution by Children and Seniors
Urging Congress to adopt the parental rights amendment.

02/06/2013 House—Introduced—HJ 152
 02/07/2013 House—Referred to Committee on Children and Families—HJ 163
 06/20/2013 House—Died in Committee

H 6011 Resolution by Representative Ruiz
Congratulating the University of Kansas Cancer Center on receiving National Cancer Institute designation.

02/06/2013 House—Introduced—HJ 161
 02/07/2013 House—Adopted without roll call—HJ 163
 02/14/2013 House—Enrolled on Thursday, February 14, 2013—HJ 219

H 6012 Resolution by Insurance
State partnership health insurance exchange.

02/08/2013 House—Introduced—HJ 176
 02/11/2013 House—Referred to Committee on Insurance—HJ 179
 06/20/2013 House—Died in Committee

H 6013 Resolution by Representatives Phillips, Carlin
Commemorating the 150th anniversary of Kansas State University.

02/13/2013 House—Introduced—HJ 193
 02/13/2013 House—Adopted without roll call—HJ 193
 02/19/2013 House—Enrolled on Monday, February 18, 2013—HJ 242

H 6014 Resolution by Representatives Boldra, Alcalá, Alford, Ballard, Barker, Becker, Bideau, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert,

Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe
Moore

Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

02/13/2013 House—Introduced—HJ 196

02/13/2013 House—Adopted without roll call—HJ 196

02/19/2013 House—Enrolled on Tuesday, February 19, 2013—HJ 242

H 6015 Resolution by Transportation

Studying the viability of compressed natural gas as an alternative vehicle fuel.

02/14/2013 House—Introduced—HJ 214

02/15/2013 House—Referred to Committee on Energy and Environment—HJ 222

03/11/2013 House—Hearing: Thursday, March 14, 2013, 9:00 AM Room 582-N

03/18/2013 House—Committee Report recommending resolution be adopted as amended by Committee on Energy and Environment—HJ 414

06/20/2013 House—Died on Calendar

H 6016 Resolution by Representative Schwab

Honoring the life of Jim Weaver.

02/20/2013 House—Introduced—HJ 255

02/28/2013 House—Adopted without roll call—HJ 296

03/07/2013 House—Enrolled on Thursday, March 07, 2013—HJ 360

H 6017 Resolution by Representative Christmann

Designating March 11th-17th , 2013, as "Multiple Sclerosis Awareness Week."

03/12/2013 House—Introduced—HJ 379

03/13/2013 House—Adopted without roll call—HJ 383

03/18/2013 House—Enrolled on Monday, March 18, 2013—HJ 417

H 6018 Resolution by Representatives Merrick, Davis

Congratulating and commending Mary Torrence, Revisor of Statutes, on her retirement.

03/14/2013 House—Introduced—HJ 391

03/14/2013 House—Adopted without roll call—HJ 391

03/20/2013 House—Enrolled on Wednesday, March 20, 2013—HJ 459

H 6019 Resolution by Representative Garber

Declaring July 27, 2013 as "Joe Tinker Day".

03/18/2013 House—Introduced—HJ 408

03/26/2013 House—Adopted without roll call—HJ 555

04/04/2013 House—Enrolled on Thursday, April 04, 2013—HJ 654

H 6020 Resolution by Federal and State Affairs

Opposing the elimination of wrestling from the summer olympic games beginning in 2020.

- 03/19/2013 House—Introduced—HJ 437
 03/20/2013 House—Referred to Committee on Federal and State Affairs—HJ 441
 03/22/2013 House—Hearing: Monday, March 25, 2013, 8:00 AM Room 582-N
 03/25/2013 House—Committee Report recommending resolution be adopted by
 Committee on Federal and State Affairs—HJ 514
 06/20/2013 House—Died on Calendar

- H 6021** Resolution by Representative Ryckman Sr.
Declaring the month of April "Parkinson's Awareness Month".
 03/20/2013 House—Introduced—HJ 442
 04/01/2013 House—Adopted without roll call—HJ 598
 04/04/2013 House—Enrolled on Thursday, April 04, 2013—HJ 654
- H 6022** Resolution by Representatives Moxley, Meier, Carlin, Carlson, Finney
Recognizing the contributions made by the citizens of Azerbaijan.
 03/20/2013 House—Introduced—HJ 443
 03/20/2013 House—Adopted without roll call—HJ 443
 03/26/2013 House—Enrolled on Tuesday, March 26, 2013—HJ 589
- H 6023** Resolution by Representative Schwartz
Congratulating the U.S. 36 Highway Association on its 100th anniversary.
 03/20/2013 House—Introduced—HJ 458
 03/21/2013 House—Adopted without roll call—HJ 461
 03/26/2013 House—Enrolled on Tuesday, March 26, 2013—HJ 589
- H 6024** Resolution by Representative Goico
Recognizing Mark Allen for his instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas.
 03/25/2013 House—Introduced—HJ 531
 04/03/2013 House—Adopted without roll call—HJ 610
 04/08/2013 House—Enrolled on Monday, April 08, 2013—HJ 883
- H 6025** Resolution by Representative Whipple
Congratulating the Wichita South High School women's basketball team on its class 6A state championship.
 03/26/2013 House—Introduced—HJ 587
 04/01/2013 House—Adopted without roll call—HJ 599
 04/04/2013 House—Enrolled on Thursday, April 04, 2013—HJ 654
- H 6026** Resolution by Representatives Howell, Bridges, Brunk, DeGraaf, Dillmore, Edwards, Finney, Goico, Hawkins, Hedke, Hermanson, Houston, Huebert, Hutton, Kahrs, Sawyer, Seiwert, Sloop, Suellentrop, Victors, Ward, Whipple
Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
 04/01/2013 House—Introduced—HJ 595
 04/01/2013 House—Adopted without roll call—HJ 595
 04/04/2013 House—Enrolled on Thursday, April 04, 2013—HJ 654

- H 6027** Resolution by Representatives Brunk, Bideau, Boldra, Carpenter, Cassidy, Christmann, Corbet, Couture-Lovelady, Crum, DeGraaf, Dierks, Edmonds, Ewy, Garber, Goico, Hill, Hineman, Hoffman, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelly, Kuether, Lusk, Macheers, Mast, Meigs, Merrick, Pauls, Peck, Phillips, Rothlisberg, Ryckman Jr., Ryckman Sr., Shultz, Siegfried, Sloan, Suellentrop, Sutton, Vickrey, Ward, Whipple

Recognizing the Boy Scouts of America for the public service it performs.

04/01/2013 House—Introduced—HJ 596

07/10/2013 House—Died on Calendar

- H 6028** Resolution by Representative Sutton

Designating April as Autism Awareness Month.

04/01/2013 House—Introduced—HJ 598

04/01/2013 House—Adopted without roll call—HJ 597

04/04/2013 House—Enrolled on Thursday, April 04, 2013—HJ 654

- H 6029** Resolution by Representatives Carlin, Phillips

Congratulating and commending Kansas State University quarterback Collin Klein for his achievements on and off the football field.

04/03/2013 House—Introduced—HJ 627

04/03/2013 House—Adopted without roll call—HJ 627

04/08/2013 House—Enrolled on Monday, April 08, 2013—HJ 883

- H 6030** Resolution by Representatives Meier, Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore

Designating April 4 as "Welcome Home Vietnam Veterans Day."

04/03/2013 House—Introduced—HJ 625

04/04/2013 House—Adopted without roll call—HJ 632

04/08/2013 House—Enrolled on Monday, April 08, 2013—HJ 883

- H 6031** Resolution by Representatives Weigel, Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Couture-Lovelady, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch,

Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Whipple, Wilson, Winn, Wolfe Moore

Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

05/13/2013 House—Introduced—HJ 949

05/13/2013 House—Adopted without roll call—HJ 949

05/17/2013 House—Enrolled on Friday, May 17, 2013—HJ 1001

- H 6032** Resolution by Representatives Howell, Bradford, Bridges, Brunk, Crum, DeGraaf, Dillmore, Dove, Edmonds, Edwards, Finney, Goico, Hawkins, Hedke, Hermanson, Hibbard, Houston, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Lunn, Lusk, Mast, Meigs, O'Brien, Osterman, Pauls, Peck, Proehl, Read, Rhoades, Rothlisberg, Ryckman Jr., Sawyer, Seiwert, Shultz, Sloop, Suellentrop, Todd, Trimmer, Vickrey, Victors, Ward, Whipple

Congratulating Wichita State Athletics on their successful year in sports.

05/16/2013 House—Introduced—HJ 994

05/21/2013 House—Adopted without roll call—HJ 1012

05/23/2013 House—Enrolled on Thursday, May 23, 2013—HJ 1035

- H 6033** Resolution by Representative Winn
Congratulating Summer Academy of Arts and Science on being ranked the best high school in Kansas.

05/20/2013 House—Introduced—HJ 1003

05/21/2013 House—Adopted without roll call—HJ 1012

05/23/2013 House—Enrolled on Thursday, May 23, 2013—HJ 1035

- H 6034** Resolution by Representative Kuether
Recognizing the success of the STARBASE program in Kansas.

05/28/2013 House—Introduced—HJ 1041

05/28/2013 House—Adopted without roll call—HJ 1041

05/30/2013 House—Enrolled on Thursday, May 30, 2013—HJ 1083

- H 6035** Resolution by Representative Carlin
Congratulating Kansas State University on a successful year in inter-collegiate athletics.

05/30/2013 House—Introduced—HJ 1059

05/30/2013 House—Adopted without roll call—HJ 1059

06/04/2013 House—Enrolled on Tuesday, June 04, 2013

- H 6036** Resolution by Representatives DeGraaf, Powell, Barker, Becker, Bideau, Boldra,

HISTORY OF BILLS

Bradford, Carpenter, Christmann, Claeys, Concannon, Couture-Lovelady, Dove, Edwards, Esau, Ewy, Garber, Gonzalez, Grosserode, Hedke, Highland, Hoffman, Howell, Huebert, Johnson, Jones, Kahrs, Lunn, Macheers, Mast, McPherson, Peck, Petty, Read, Rothlisberg, Ryckman Sr., Schroeder, Seiwert, Siegfried, Sutton

Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

05/31/2013 House—Introduced—HJ 1085

06/01/2013 House—Referred to Committee on Federal and State Affairs

06/20/2013 House—Died in Committee

EXECUTIVE REORGANIZATION ORDERS

ERO 42 Executive Reorganization Order by Governor Brownback
Transferring the facilities and programs administered by the Juvenile Justice Authority to the Department of Corrections.

1/22/2013 House—Received

1/22/2013 House—Introduced—HJ 86

1/23/2013 House—Referred to Committee on Corrections and Juvenile Justice—HJ 97

1/30/2013 House—Hearing: Tuesday, February 5, 2013, 1:30 PM, Room 152-S

1/30/2013 House—Hearing: Wednesday, February 6, 2013, 1:30 PM, Room 152-S

1/31/2013 House—Introduced **HR 6006**, Disapproving **ERO 42** – HJ 131

2/7/2013 House—Deemed approved by Committee on Corrections and Juvenile Justice under House Rule 4503.

6/20/2013 House—Time limit for action expired; ERO becomes effective July 1, 2013

HISTORY OF HOUSE PETITIONS

HP 2001 A petition expressing opposition to HB 2023 and SB 31, signed by Colin Curtis and 4,651 other Kansas residents. Filed January 30, 2013 by Representative Paul Davis.

FINAL
HOUSE CALENDAR
No. 73

JANUARY 14, 2013 THROUGH JUNE 20, 2013

NUMERICAL SCHEDULE OF HOUSE BILLS -- 2013

Sub	2031 Ag & Nat Res	2060 ConfComm
2001 Vet Miltry Sec	2032 Approps	2061 Taxation
Sub	2033 Signed, Ef Dt. 7/1/13	2062 Local Gov
2002 Sen Fed & St Aff	S Sub	2063 Taxation
2003 General Orders	2034 Signed, Ef Dt. 7/1/13	2064 Corr & Juv Jus
2004 Education	2035 Sen Commerce	2065 Sen Judiciary
2005 Education	2036 Fin Institutions	2066 Signed, Ef Dt. 7/1/13
2006 Signed, Ef Dt. 7/1/13	S Sub	2067 Sen Gen Orders
2007 Signed, Ef Dt. 7/1/13	2037 Sen Gen Orders	2068 Hlth & Hum Svcs
2008 Corr & Juv Jus	2038 Elections	2069 Signed, Ef Dt. 7/1/13
2009 Signed, Ef Dt. 7/1/13	2039 Elections	2070 Sen Judiciary
2010 Comm, Lbr & Eco Dev	2040 Judiciary	2071 Approps
S Sub	2041 Signed, Ef Dt.	2072 Local Gov
2011 Signed, Ef Dt. 7/1/13	4/11/13	2073 Ag & Nat Res
2012 Signed, Ef Dt. 7/1/13	2042 Sen Assess & Tax	2074 Sen Eth, Elec & Loc Gov
2013 Signed, Ef Dt. 7/1/13	Sub	2075 Sen Eth, Elec & Loc Gov
2014 Sen Gen Orders	2043 Signed, Ef Dt. 7/1/13	2076 Ag & Nat Res
2015 Signed, Ef Dt. 7/1/13	2044 Signed, Ef Dt. 7/1/13	S Sub
2016 Judiciary	2045 Trans	2077 Sen Gen Orders
Sub	2046 Trans	2078 Signed, Ef Dt. 7/1/13
2017 Signed, Ef Dt. 7/1/13	2047 Sen Assess & Tax	2079 Trans
2018 Ed Budget	2048 Taxation	2080 Corr & Juv Jus
2019 Signed, Ef Dt. 7/1/13	2049 Killed	2081 Signed, Ef Dt. 7/1/13
2020 Judiciary	2050 Sen Agriculture	2082 Fed & St Aff
2021 Approps	S Sub Sub	2083 Signed, Ef Dt. 7/1/13
S Sub	2051 ConfComm	2084 Killed
2022 Signed, Ef Dt. 7/1/13	S Sub	2085 Comm, Lbr & Eco Dev
2023 Sen Commerce	2052 Signed, Ef Dt. 7/1/13	2086 Sen Commerce
Sub	2053 Comm, Lbr & Eco Dev	2087 Comm, Lbr & Eco Dev
2024 Signed, Ef Dt. 7/1/13	2054 Fed & St Aff	2088 Approps
2025 Signed, Ef Dt. 7/1/13	S Sub	2089 Local Gov
2026 Util & Telecoms	2055 Sen Killed	2090 Ag & Nat Res
Sub	2056 General Orders	2091 Sen Eth, Elec & Loc Gov
2027 Comm, Lbr & Eco Dev	2057 Sen Assess & Tax	2092 Comm, Lbr & Eco Dev
2028 Signed, Ef Dt. 7/1/13	2058 Sen Assess & Tax	S Sub
2029 Soc. Serv. Budget	2059 Signed, Ef Dt.	2093 Signed, Ef Dt. 7/1/13
2030 Signed, Ef Dt. 4/11/13	6/20/13	2094 Sen Education

2095 Elections	2142 Sen Gen Orders	2183 Signed, Ef Dt. 7/1/13
2096 Signed, Ef Dt. 7/1/13	S Sub	2184 Hlth & Hum Svcs
2097 Engy & Env	2143 ConfComm	2185 Sen Eth, Elec & Loc Gov
2098 Fed & St Aff	2144 Signed, Ef Dt. 7/1/13	2186 Taxation
2099 Sen Fin Inst. & Ins	S Sub	2187 Hlth & Hum Svcs
2100 Engy & Env	2145 Sen General Orders	2188 Judiciary
2101 Sen Utilities	2146 Sen Pub H & Wel	2189 Fed & St Aff
2102 Judiciary	2147 Signed, Ef Dt. 7/1/13	2190 Fed & St Aff
2103 General Orders	2148 Sen Gen Orders	2191 Util & Telecoms
2104 Util & Telecoms	2149 Signed, Ef Dt. 7/1/13	2192 Fed & St Aff
Sub	S Sub	2193 Signed, Ef Dt. 7/1/13
2105 Signed, Ef Dt. 7/1/13	2150 Signed, Ef Dt. 7/1/13	2194 Fed & St Aff
2106 Signed, Ef Dt. 7/1/13	2151 Sen Gen Orders	2195 Sen Ways & Means
2107 Signed, Ef Dt. 7/1/13	2152 Sen Fin Inst & Ins	2196 Fed & St Aff
2108 Hlth & Hum Svcs	2153 Sen Gen Orders	2197 Sen Education
2109 Signed, Ef Dt. 7/1/13	S Sub	2198 Fed & St Aff
2110 Taxation	2154 Sen Gen Orders	S Sub
2111 General Orders	S Sub	2199 Signed, Ef Dt. 7/1/13
2112 Sen Eth, Elec & Loc Gov	2155 Sen Gen Orders	2200 Signed, Ef Dt. 7/1/13
2113 Judiciary	2156 Signed, Ef Dt. 7/1/13	2201 Signed, Ef Dt. 7/1/13
2114 Sen Gen Orders	2157 Hlth & Hum Svcs	2202 Signed, Ef Dt. 7/1/13
2115 Signed, Ef Dt. 7/1/13	2158 Comm, Lbr & Eco Dev	2203 Signed, Ef Dt. 7/1/13
2116 Judiciary	2159 Taxation	2204 Signed, Ef Dt. 7/1/13
2117 Approps	2160 Signed, Ef Dt. 7/1/13	2205 Signed, Ef Dt. 7/1/13
2118 General Orders	2161 Corr & Juv Jus	2206 Comm, Lbr & Eco Dev
2119 Taxation	2162 Signed, Ef Dt. 7/1/13	Sub
2120 Vetoed, Sustained	2163 Signed, Ef Dt. 7/1/13	2207 Signed, Ef Dt. 7/1/13
2121 Ag & Nat Res	2164 Signed, Ef Dt. 7/1/13	2208 Corr & Juv Jus
2122 Sen Gen Orders	2165 Corr & Juv Jus	2209 Sen Gen Orders
2123 Comm, Lbr & Eco Dev	Sub	2210 Sen Eth, Elec & Loc Gov
2124 Comm, Lbr & Eco Dev	2166 Sen Gen Orders	2211 Judiciary
2125 Sen Gen Orders	S Sub	2212 Signed, Ef Dt. 7/1/13
2126 Strick, Rule 1507	2167 Signed, Ef Dt. 4/25/13	2213 Signed, Ef Dt. 6/13/13
2127 Hlth & Hum Svcs	2168 Fed & St Aff	2214 Taxation
2128 Signed, Ef Dt. 7/1/13	2169 Signed, Ef Dt. 7/1/13	2215 Ed Budget
2129 Elections	2170 Signed, Ef Dt. 7/1/13	2216 Signed, Ef Dt. 7/1/13
2130 Sen Eth, Elec & Loc Gov	2171 Ag & Nat Res	2217 Signed, Ef Dt. 7/1/13
2131 Trans	2172 Sen Commerce	2218 Signed, Ef Dt. 7/1/13
2132 Fed & St Aff	2173 Judiciary	2219 Hlth & Hum Svcs
2133 Strick, Rule 1507	2174 General Orders	2220 Taxation
2134 General Orders	2175 Corr & Juv Just	2221 Signed, Ef Dt. 7/1/13
2135 Signed, Ef Dt. 7/1/13	2176 Signed, Ef Dt. 7/1/13	2222 Sen Education
2136 Taxation	2177 Signed, Ef Dt. 7/1/13	Sub
2137 General Orders	2178 Strick, Rule 1507	2223 General Orders
2138 Signed, Ef Dt. 7/1/13	2179 Sen Gen Orders	2224 Judiciary
2139 Signed, Ef Dt. 7/1/13	2180 Fed & St Aff	2225 Judiciary
2140 ConfComm	2181 Signed, Ef Dt. 7/1/13	2226 Elections
S Sub	2182 Sen Judiciary	2227 Elections
2141 Sen Gen Orders	Sub	2228 Signed, Ef Dt. 7/1/13

2229 Approps	2275 Judiciary	2323 Comm, Lbr & Eco Dev
2230 Approps	2276 Comm, Lbr & Eco Dev	2324 Fed & St Aff
Sub	2277 Corr & Juv Jus	2325 Gen Gov Budget
2231 Sen Ways & Means	2278 Signed, Ef Dt. 7/1/13	2326 Signed, Ef Dt. 7/1/13
2232 Strick, Rule 1507	2279 Comm, Lbr & Eco Dev	2327 Taxation
2233 Child & Seniors	2280 Sen Education	2328 Taxation
2234 Signed, Ef Dt. 7/1/13	2281 Elections	2329 Taxation
2235 Hlth & Hum Svcs	2282 Ed Budget	2330 Approps
2236 Ed Budget	2283 Hlth & Hum Svcs	2331 Taxation
2237 Gen Gov Bdgt	2284 Insurance	2332 Engy & Env
2238 Hlth & Hum Svcs	2285 General Orders	2333 Taxation
2239 Corr & Juv Jus	2286 Taxation	2334 Approps
2240 Local Gov	2287 Gen Gov Bdgt	2335 Soc Serv Bdgt
2241 Engy & Env	2288 Corr & Juv Jus	2336 Judiciary
2242 Ed Budget	2289 Education	2337 Approps
2243 Insurance	2290 Approps	2338 Sen Ways & Means
2244 Sen Assess & Tax	2291 Elections	2339 Signed, Ef Dt. 7/1/13
2245 Taxation	2292 Judiciary	2340 Comm, Lbr & Eco Dev
2246 Comm, Lbr & Eco Dev	2293 Approps	2341 Comm, Lbr & Eco Dev
2247 Local Gov	2294 Signed, Ef Dt. 7/1/13	2342 Elections
2248 Ed Budget	2295 Ag & Nat Res	2343 Sen Gen Orders
2249 Signed, Ef Dt. 7/1/13	2296 Sen Eth, Elec & Loc Gov	2344 Taxation
2250 Hlth & Hum Svcs	2297 Ed Budget	2345 Corr & Juv Jus
2251 Hlth & Hum Svcs	2298 Sen Judiciary	2346 Judiciary
2252 Signed, Ef Dt. 7/1/13	2299 Corr & Juv Jus	2347 Taxation
2253 Signed, Ef Dt. 7/1/13	2300 Local Gov	2348 Child & Sen
2254 Judiciary	2301 Pen & Ben	2349 Signed, Ef Dt. 7/1/13
2255 Sen Gen Orders	2302 Signed, Ef Dt. 7/1/13	2350 Ed Budget
2256 Corr & Juv Jus	2303 ConfComm	2351 Approps
2257 Hlth & Hum Svcs	2304 Ag & Nat Res Bdgt	2352 Sen Gen Orders
2258 Comm, Lbr & Eco Dev	2305 Signed, Ef Dt. 7/1/13	2353 Signed, Ef Dt. 7/1/13
2259 Sen Judiciary	2306 Education	2354 General Orders
2260 Elections	2307 Education	2355 Taxation
2261 Signed, Ef Dt. 7/1/13	2308 Pen & Ben	2356 Trans
Sub	2309 Strick, Rule 1507	2357 Signed, Ef Dt. 7/1/13
2262 Sen Ways & Means	2310 Trans	2358 Trans
2263 Education	2311 Killed	2359 Ag & Nat Res
2264 Education	2312 Sen Fin Inst & Ins	2360 Approps
2265 Ed Budget	2313 Elections	2361 Judiciary
2266 Elections	2314 Strick, Rule 1507	2362 Ag & Nat Res
2267 Sen Assess & Tax	2315 Corr & Juv Jus	2363 Signed, Ef Dt. 7/1/13
2268 Taxation	2316 Judiciary	2364 Elections
2269 Signed, Ef Dt. 7/1/13	2317 Insurance	2365 Engy & Env
2270 Fed & St Aff	2318 Signed, Ef Dt. 7/1/13	2366 Engy & Env
2271 Elections	2319 Signed, Ef Dt. 7/1/13	2367 Engy & Env
2272 Sen Gen Orders	2320 Education	2368 Signed, Ef Dt. 7/1/13
2273 Comm, Lbr & Eco Dev	2321 Ag & Nat Res	2369 General Orders
2274 Corr & Juv Jus	2322 Signed, Ef Dt. 7/1/13	2370 Taxation

2371 General Orders	2387 Sen Judiciary	2402 General Orders
2372 Hlth & Hum Svcs	2388 Corr & Juv Jus	2403 Sen Gen Orders
2373 Fed & St Aff	2389 Sen Judiciary	2404 Ag & Nat Res
2374 Hlth & Hum Svcs	2390 Hlth & Hum Svcs	2405 Taxation
2375 Hlth & Hum Svcs	S Sub	2406 Fed & St Aff
2376 Hlth & Hum Svcs	2391 Killed	2407 Taxation
2377 Sen Ways & Means	2392 Approps	2408 Taxation
2378 Sen Asses & Tax	2393 Corr & Juv Jus	2409 Taxation
2379 General Orders	2394 Corr & Juv Jus	2410 Taxation
2380 Pen & Ben	2395 Approps	2411 Approps
2381 Sen Ways & Means	2396 Sen Ways & Means	2412 Approps
2382 Taxation	2397 Fed & St Aff	2413 Taxation
2383 Pen & Ben	2398 Judiciary	2414 Comm, Lbr & Eco Dev
2384 General Orders	2399 Judiciary	2415 Approps
2385 Taxation	2400 Education	2416 Judiciary
2386 General Orders	2401 Elections	

NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS 2013 SESSION

5001 Enrolled	5007 Comm, Lbr & Eco Dev	5013 General Orders
5002 General Orders	5008 Trans	5014 Sen Utilities
5003 Judiciary	5009 Fed & St Aff	5015 Enrolled
5004 Judiciary	5010 Fed & St Aff	5016 Fed & St Aff
5005 Judiciary	5011 Appropriations	5017 Enrolled
5006 Elections	5012 Judiciary	5018 Enrolled
		5019 Judiciary

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2013 SESSION

6001 Adopted, Enr	6014 Adopted, Enr	6027 Died, Cal
6002 Adopted, Enr	6015 Died, Cal	6028 Adopted, Enr
6003 Adopted, Enr	6016 Adopted, Enr	6029 Adopted, Enr
6004 Adopted, Enr	6017 Adopted, Enr	6030 Adopted, Enr
6005 Adopted, Enr	6018 Adopted, Enr	6031 Adopted, Enr
6006 Died, Comm	6019 Adopted, Enr	6032 Adopted, Enr
6007 Adopted, Enr	6020 Died, Cal	6033 Adopted, Enr
6008 Adopted, Enr	6021 Adopted, Enr	6034 Adopted, Enr
6009 Adopted, Enr	6022 Adopted, Enr	6035 Adopted, Enr
6010 Died, Comm	6023 Adopted, Enr	6035 Adopted, Enr
6011 Adopted, Enr	6024 Adopted, Enr	6036 Died, Comm
6012 Died, Cal	6025 Adopted, Enr	
6013 Adopted, Enr	6026 Adopted, Enr	

NUMERICAL SCHEDULE OF SENATE BILLS 2013 SESSION

1 P Am, Sen Con	61 Strick, Rule 1507	125 Judiciary
2 General Orders	62 Passed	128 P Am, Sen Con
7 General Orders	63 ConfComm	129 CCR Adopted
8 Judiciary	H Sub	135 Passed
16 P Am, Sen Con	64 Strick, Rule 1507	136 P Am, Sen Con
18 Judiciary	68 Passed	139 Passed
19 Corr & Juv Jus	69 Passed	141 General Orders
20 CCR Adopted	S Sub	142 Passed
21 Passed	70 Killed	147 General Orders
H Sub	72 Taxation	149 P Am, Sen Con
22 Education	73 Strick, Rule 1507	152 Insurance
23 CCR Adopted	74 Passed	163 Strick, Rule 1507
24 Passed	75 Passed	164 CCR Adopted
25 Passed	80 Judiciary	165 Taxation
26 Strick, Rule 1507	81 P Am, Sen Con	166 Passed
27 P Am, Sen Con	H Sub	Sub
28 Passed	83 CCR Adopted	167 General Orders
34 Fed & St Aff	H Sub	168 CCR Adopted
35 Engy & Env	84 ConfComm	171 CCR Adopted
Sub	85 Passed	176 Education
36 General Orders	88 P Am, Sen Con	177 Strick, Rule 1507
37 Passed	91 Taxation	181 Taxation
40 Corr & Juv Jus	92 Strick, Rule 1507	187 CCR Adopted
41 Strick, Rule 1507	96 CCR Adopted	199 CCR Adopted
42 Judiciary	100 Strick, Rule 1507	203 General Orders
45 General Orders	102 CCR Adopted	210 Hlth & Hum Svcs
46 Hlth & Hum Svcs	104 Education	214 Fed & St Aff
49 Strick, Rule 1507	107 Hlth & Hum Svcs	216 Passed
51 Passed	111 P Am, Sen Con	218 Approps
52 Passed	113 Passed	222 Taxation
56 P Am, Sen Con	117 Pen & Ben	H Sub
Sub	118 Passed	226 General Orders
57 CCR Adopted	120 P Am, Sen Con	231 Taxation
58 Passed	121 Approps	235 Taxation
59 Passed	122 CCR Adopted	245 Approps
60 Judiciary	124 CCR Adopted	246 Passed

NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS 2013 SESSION

1601 Judiciary	1606 Adopted	1611 Adopted
1604 Adopted, Am	1608 Judiciary	1614 Adopted

LEGEND

Ag & Nat Res	Agriculture and Natural Resources
Ag & Nat Res Bdgt	Agriculture and Natural Resources Budget
Assess & Tax	Senate Assessment and Taxation
Cal & Print	Calendar and Printing
Child & Sen	Children and Seniors
Comm, Lbr & Eco Dev	Commerce, Labor and Economic Development
Corr & Juv Jus	Corrections and Juvenile Justice
Ed Budget	Education Budget
Engy & Env	Energy and Environment
Eth, Elect & Local	Senate Ethics, Elections and Local Government
Fed & St Aff	Federal and State Affairs
Fin Inst	Financial Institutions
Fin Inst & Ins	Senate Financial Institutions and Insurance
Gen Gov Bdgt	General Government Budget
Hlth & Hum Svcs	Health and Human Services
Local Gov	Senate Local Government
Natural Res	Senate Natural Resources
Pen & Ben	Pensions and Benefits
Pub H & Wel	Senate Public Health and Welfare
Rules & Jour	Rules and Journal
Soc Serv Bdgt	Social Services Budget
Transp	Transportation
Trans Pub Saf Bdgt	Transportation and Public Safety Budget
Vet Miltry Sec	Veterans, Military and Homeland Security
Ways & Means	Senate Ways and Means
Adptd	Adopted
CCR	Conference Committee Report
Comm Rp	Committee Report
Comm	Committee
Cal	Calendar
ConfComm	Conference Committee
Con	Concur
Ef Dt	Effective Date
Enr	Enrolled
Fin Act	Final Action
Gen Orders	General Orders
H	House
Mat Chgd	Ruled Materially Changed by originating chamber
P Am	Passed as amended
Sub	Substitute
Sen	Senate

**SUMMARY OF ACTIONS ON HOUSE BILLS, RESOLUTIONS AND
CONCURRENT RESOLUTIONS**

HOUSE BILLS

House bills introduced in the 2013 session.....	416
House bills passed both houses and presented to Governor.	90
House bills signed by Governor.....	89
House bills becoming law without Governor's signature. 0	
House bills with line item vetoes.....	0
House bills vetoed by Governor (HB 2120).....	1
House bills killed in House.....	10
House bills killed in Senate.....	1
TOTAL.....	101
House bills in House Committees.....	226
House bills in Senate Committees.....	44
House bills in conference committees.....	5
House bills on House Calendar.....	16
House bills on Senate Calendar.....	24
House bills carried over to 2014 session.....	315
TOTAL.....	416

HOUSE CONCURRENT RESOLUTIONS

House concurrent resolutions introduced in 2013 session.....	19
House concurrent resolutions adopted by both houses.....	4
House concurrent resolutions killed in House.....	0
House concurrent resolutions killed in Senate.....	0
House concurrent resolutions in House Committees.....	12
House concurrent resolutions on House Calendar.....	2
House concurrent resolutions in Senate Committees.....	1
House concurrent resolutions carried over to 2014 Session.	15
TOTAL.....	19

HOUSE RESOLUTIONS

House resolutions introduced in 2013 session.....	36
House resolutions adopted.....	29
House resolutions killed.....	0
House resolutions dying in committee.....	3
House resolutions dying on Calendar.....	4
TOTAL.....	36

**APPOINTMENTS, GUESTS, COMMUNICATIONS FROM STATE
OFFICERS,
IN THE 2013 HOUSE JOURNAL**

APPOINTMENTS

- Of Susan Kannarr, chief clerk, p. 8.
- Of Wayne Owen, sergeant-at-arms, p. 8.
- Committee assignments, pp.13-16.
- Of Rev. Eunice Brubaker, chaplain, p. 51.
- Committee assignment changes, p. 105.
- Committee assignment changes, p. 111.
- Committee assignment changes, p. 255.
- Committee assignment changes, p. 265.
- Committee assignment changes, p. 281.
- Committee assignment changes, p. 360.
- Committee assignment changes, p. 372.
- Committee assignment changes, p. 380.
- Committee assignment changes, p. 389.
- Committee assignment changes, p. 403.
- Committee assignment changes, p. 404.
- Committee assignment changes, p. 417.
- Committee assignment changes, p. 439.
- Committee assignment changes, pp. 467-468.
- Committee assignment changes, p. 509.
- Committee assignment changes, p. 519.
- Committee assignment changes, p. 882.
- Committee assignment changes, p. 985.

RULES

SPECIAL GUESTS

- Dr. Christian Cupp, President of the Kansas Academy of Family Physicians, the group that sponsors the Doctor of the Day program, pp. 48-49.
- Rep. Hedke introduced Mrs. Dyane Smokorowski, Kansas Teacher of the Year, p. 150.
- Rep. Victors introduced Native American tribal leaders and council members in the capitol for Native American Legislative Day at the Capitol, in celebration of **HR 6008**, p. 153.
- Rep. Ruiz introduced Dr. Roy Jensen of the University of Kansas Medical Center, in celebration of **HR 6011**, p. 163.
- Rep. Edmonds introduced Mrs. Lorene Bethell and Altha and Todd Pelham in recognition of **HR 6007**, designating the Official Robert (Bob) Bethell House of Representatives ballot box, p. 180.
- Rep. Phillips introduced Dr. April Mason, KSU Provost and Dr. Jim Bloodgood, KSU Faculty Senate President, in recognition of **HR 6013**, pp. 193-196.
- Rep. Boldra introduced advisers for the Kansas Academy of Mathematics and Science at Fort Hays State University, in recognition of **HR 6014**, pp. 197-198
- Rep. Proehl introduced representatives of 2013 Kansas Community College PTK All-State Academic Team, p. 212.
- Rep. Bradford introduced Mrs. Laura Moyers, Music teacher at Anthony Elementary in the Leavenworth School District, who was selected as the Kansas State Department of Education's Region 2 2013 Elementary Teacher of the Year this fall, p. 221.
- Rep. Schwartz introduced the Kansas FFA Association state officer team - six students who are attending college, p. 230.
- Rep. Swanson introduced Dr. Michael Schonrock, President of Emporia State University and Brooke Schmidt, President of the ESU Student Government Association, in recognition of **HR**

6009, resolution commemorating Emporia State University's Sesquicentennial, pp. 239-240.

Reps Ward and Hawkins introduced winners of the Barton and Gore scholarships: The 2013-2014 winner of the Barton Scholarship is Kiah Duggins of Wichita East High School, the 2013-2014 winner of the Gore scholarship is Amanda Johnson, of Wichita Northwest High School, p. 251.

Rep. Schwab introduced Josie Weaver, James Weaver Jr. (his fiancé Jamie Williamson), Anita Woods (daughter), grandchildren, Dominique Weaver, Sentia Woods, Dar'el Weaver, and A'nitra Weaver, in recognition of **HR 6016**, A resolution honoring the life of Jim Weaver, p. 296.

Rep. Waymaster introduced members from the Russell High School FFA Livestock Judging team: Lane Mai, Payton Stoppel, Jordan Moubry and Clayton Moubry; their Advisor, Jed Strnad; Principal, Larry Bernard; and Athletic Director, Mark Paul, p. 353.

Rep. Kelly introduced Field Kindley High School students David Paul Kritz and Grant Hendrix who won the 2013 Class-4A two-speaker state debate competition and their coaches, Field Kindley High School debate instructors Megan Henson and her assistant John Shively, pp. 373-374.

Rep. Seiwert introduced Principal, Jerry Longabaugh, and students from Dwight D. Eisenhower Middle School from Goddard, who received the Governor's Achievement Award from the Kansas State Board of Education for receiving Building Level Standards of Excellence in both reading and math, meeting AYP requirements, and being in the top 5% of Middle/Junior High Schools. The students in attendance were Shawn McCool, Tera Lynch, Kensey Arlt, Alexys Porter and Josh Paul, p. 374.

Rep. Hill recognized representatives of the Kansas Small Business Development Center's emerging and existing 2013 businesses of the year, p. 377-378.

Rep. Proehl introduced the national wrestling champions from Labette Community College in Parsons who won in 2012 and 2013. They are the 2013 NJCAA National Champions, 2013 NWCA National Dual Meet Champions, 2013 NJCAA West-Central District Champions and 2013 Kansas Cup Champions, p. 378.

Rep. Christmann introduced Annie Lackey, one of National MS Society's top local fundraisers, pp. 383-384.

Rep. Davis introduced Mary Torrence, the honoree of **HR 6018**, on her retirement as Revisor of Statutes, pp. 391-392.

Rep. Petty introduced David G. Booth, the honoree of **HCR 5015**, pp. 406-408.

Rep. Bradford introduced Nathan Butler, Leavenworth High School (Class of 2013) Leavenworth-Lansing Area Chamber of Commerce Junior Citizen of the Year; Three-Time State Wrestling Champion (undefeated 44-0 record this season), pp 418-419.

Rep. Christmann introduced Senator Mitch Holmes, pp. 419-420.

Rep. Moxley introduced members of a delegation from the Republic of Azerbaijan, the subject of **HR 6022**, p. 443.

Rep. Schwartz introduced US 36 Highway Association members, President Chad Kramer and Directors Christiane Cole and Jeff Hofaker, in recognition of **HR 6023**, pp. 460-461.

Rep. Carlson introduced the State Champion Holton football and wrestling teams, pp. 533-534.

Reps. Seiwert and Thimesch introduced Principal Bob Lyall, and students from St Patrick Catholic School from Kingman. St Patrick Catholic School received the Governor's Achievement Award, pp. 603-604.

Rep. Mast introduced the Burlington Lady Cats, the 2013 Kansas High School Class 3A State Champions, p. 609.

Rep. Goico introduced Mark and Louise Allen for their instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas, in recognition of **HR 6024**, p. 610.

Reps. Carlin and Phillips introduced Kansas State University quarterback Collin Klein and recognized his achievements on and off the football field, in recognition of **HR 6029**, pp. 627-628.

Rep. Highland introduced the Wamego High School Lady Raider basketball team, 2013 4A State Champions, p. 631.

In recognition of **HR 6030**, Rep. Meier introduced Viet Nam veterans Ray Calore, the Commander of the Kansas Veterans of Foreign Wars; Herbert Schwartzkopf, the Adjutant-Quartermaster of the Kansas Veterans of Foreign Wars; Larry Meadows, a Past First District VFW

Commander; Lynn Rolf, Jr, Vice President of Chapter 75 of the Kansas Vietnam Veterans of America in Leavenworth, pp. 632-633.

Rep. Clayton introduced Emporia State University's debate team of Ryan Walsh and Elijah Smith on winning the National Debate Tournament and the Cross Examination Debate Association national tournament along with coaches Sam Maurer and Marie Miller, p. 880.

Rep. Goico introduced Father John Hotze, Chaplain at McConnell Air Force Base a priest of the Diocese of Wichita, in recognition of **HCR 5018** honoring native Kansan, Army Chaplain Father Emil Kapaun, Medal of Honor winner, pp. 885-886.

Rep. Petty introduced Liberal High School Principal Keith Adams, and Deputy Superintendent of USD 480 Paul Larkin, p. 949.

Rep. Goico introduced a delegation representing Armenia in recognition of **HR 6031** celebrating the 10th anniversary of Kansas' bilateral relationship with the Republic of Armenia, p. 950.

Rep. Dove introduced Zachary Hevel who has been accepted in the Air Force Academy graduating class of 2017, p. 996.

Rep. Howell introduced Andrew J. Schlapp, Executive Director of Government Relations and Board of Trustees, Wichita State University, in recognition of **HR 6032**, a resolution congratulating Wichita State University Athletics on their successful year in sports, p. 1012.

Rep. Winn introduced Vice-Principal of Sumner, Ms. Kristian Foster and Mr. David Smith, Chief of Staff for Superintendent Ms. Cindy Lane in recognition of **HR 6033**, a resolution congratulating Sumner Academy of Arts and Science on being ranked the #1 academic high school in Kansas, pp. 1012-1013.

Rep. Kuether introduced the following in recognition of **HR 6034**, a resolution recognizing the STARBASE program in Kansas: Sen. Elaine Bowers, Ex. Director Jeff Gabriel, board member and President Kerry Taylor, and Brigadier General Eric Peck, p. 1041.

COMMUNICATIONS FROM STATE OFFICERS

The Office of Chief Clerk has received the following communications during the interim since adjournment of the 2012 Regular Session of the Legislature:

From Derek Schmidt, Kansas Attorney General, the annual report of the Crime Victims Compensation Board for fiscal year 2010.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, the Financial Statements for the year ended June 30, 2012, and the Independent Auditors' Report.

From Jeremy Barclay, Communication Director, Kansas Department of Corrections, the Fiscal Year 2012 Annual Report.

From Derek Schmidt, Kansas Attorney General, the 2012 Annual Report of the Kansas Child Death Review Board.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, notice that the KPERs Comprehensive Annual Financial Report is available at <http://www.kpers.org/annualreport2012.pdf>.

From Ed Eilert, Chairman, in accordance with the requirements of K.S.A. 19-5005(e), the Johnson County Research Triangle Authority Annual Report for the year ending June 30, 2012.

From the Justice Reinvestment Working Group, according to K.S.A. 2012 Supp. 75-52,160 (2012 HB 2684), its report regarding increased public safety and reduced recidivism and spending on corrections in Kansas.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2012.

From Robin L. Jennison, Secretary, Department of Wildlife, Parks and Tourism, in accordance with K.S.A. 32-844 and 32-845, a report regarding land acquisition and renewals.

From Derek Schmidt, Attorney General, according to K.S.A. 75-7c16(b) of the Kansas Personal and Family Protection Act, the statistical report regarding concealed carry licenses, p. 16.

From the Office of Governor Sam Brownback:

Executive Order No. 12-08, concerning drought watches, warnings, and emergency conditions

in effect until revised or rescinded.

Executive Order No. 12-09, approving an operations plan for the Governor's drought response team.

Executive Order No. 12-10, declaring a drought warning or drought emergency for certain counties, replacing Executive Order 12-08.

Executive Order No. 12-11, superseding Executive Order No. 12-06, concerning conditional and temporary relief from motor carrier rules and regulations.

Executive Directive No. 12-430, authorizing personnel transactions.

Corrected Executive Directive No. 12-430, authorizing personnel transactions.

Executive Directive No. 12-431, authorizing expenditure of federal funds.

Executive Directive No. 12-432, authorizing expenditure of federal funds.

Executive Directive No. 12-433, authorizing personnel transactions.

Executive Directive No. 12-434, authorizing expenditure of federal funds.

Executive Directive No. 12-435, authorizing expenditure of federal funds.

Executive Directive No. 12-436, authorizing expenditure of federal funds.

Executive Directive No. 12-437, authorizing expenditure of federal funds, pp. 16-17.

Also, from Ron Estes, Kansas State Treasurer, 2012 Annual Report for the Kansas State Treasurer's Office.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, in accordance with K.S.A. 49-512(h), TRA Trust Expenditures/Income Report: September 2012.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, in accordance with K.S.A. 2010 Supp.66-1250 through 66-1254; Abandoned Oil and Gas Well Status Report/Remediation Site Status Report, 2013.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, in accordance with K.S.A. 55-194, Broadband Service Report, 2013. p. 17.

From Representative Carl D. Holmes, Chairperson, Kansas Electric Transmission Authority, 2012 Annual Report to the Governor and the Legislature, January 14, 2013, p. 51.

From REAP (Regional Economic Area Partnership of South Central Kansas), in accordance with KSA 74-50,150, Kansas Affordable Airfares Program Fiscal Year 2013 Financial Status Report, p. 51.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 75-723, Abuse, Neglect and Exploitation Unit (ANE), Annual Report, July 1, 2011 - June 30, 2012, p. 51.

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concerns, 2012 annual report and 2013 legislative initiatives, p. 75.

From Kansas Department of Transportation, Quarterly Report for quarter ending December 2012, p. 75.

From Gary Harshberger, Chair, Kansas Water Authority, 2013 Annual Report to the Governor and Legislature, p. 81.

From Kansas Employment First Oversight Commission, pursuant to K.S.A. 44-1136 to 44-1138, Kansas Employment First Initiative Act, Annual Report to the Governor and Kansas Legislature, December 31, 2012, p. 81.

From Gary Alexander, Vice President of Academic Affairs, Kansas Board of Regents, pursuant to KSA 76-717, Annual Report on Implementation of Qualified Admissions, p. 81.

From State Board of Indigents' Defense, Annual Report, Fiscal Year 2012, p. 91.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report of the KBI State Forfeiture Fund, p. 98.

From Scott Frank, Legislative Post Auditor, Legislative Division of Post Audit, Annual Report to the 2013 Legislature, p. 98.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health and Environment, Treeco Relocation Assistance Trust Expenditures/Income Report: November 2012, in accordance with K.S. A. 49-512(h), p. 108.

From Kansas Employment First Oversight Commission, Kansas Employment First Initiative

Act, Annual Report 2012, p. 108.

From Mike Michael, Director, State Employee Health Plan, Division of Health Care Finance, Kansas Department of Health and Environment, in accordance with K.S.A. 75-6509, Kansas State Employees Health Care Commission, 2012 Annual Report, p. 113.

From Bob Jurgens, Chief, Assessment & Restoration Section, Kansas Department of Health & Environment, in accordance with K.S.A. 49-512(h), on behalf of the Treece Relocation Assistance Trust, Project Monthly Expenditure/Income Report for the December 2012 reporting period, p. 126.

From Patti Petersen-Klein, Executive Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 66-1282, Biennial Report on Electric Supply and Demand, 2013, p. 126.

From Patti Petersen-Klein, Executive Director, Utilities Division, Kansas Corporation Commission, pursuant to K.S.A. 2011 Supp. 66-2005, Annual Price Deregulation Report, 2013, p. 126.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, pursuant to K.S.A. 66-117b, 2013 Utilities and Common Carriers Annual Report, p. 136.

From Sandy Praeger, Commissioner of Insurance, Kansas Insurance Department, in accordance with K.S.A. 44-566(a), The Kansas Workers' Compensation Fund, year end report, FY 2012, p. 136.

From Lawton R. Nuss, Chief Justice, Supreme Court of Kansas, pursuant to K.S.A. 20-320, State of the Judiciary, 2013. An electronic copy may be found at <http://www.kscourts.org/State-of-Judiciary/>, p. 136.

From Ray Roberts, Secretary, Kansas Department of Correction, pursuant to K.S.A. 75-52,148, report of Crimes Committed by Sex Offenders While in Custody, p. 169.

From Richard Petersen-Klein, Executive Director, Kansas Racing and Gaming Commission, 2012 Annual Report, p. 193.

From Ernest E. Garcia, Colonel, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, annual report regarding the State Forfeiture Fund, December 1, 2011 through November 30, 2012, p. 213.

From Barbara J. Hickert, State LTC Ombudsman, Kansas Department of Administration, pursuant to K.S.A.75-7306, Long-Term Care Ombudsman 2012 Annual Report, which can also be found at <http://www.kansasombudsmanksgov.com>, p. 222.

From Robert Moser, M.D., Secretary and State Health Officer, Kansas Department of Health and Environment, Annual Report, 2012, p. 231.

From Sandy Praeger, Commissioner of Insurance, Kansas Insurance Department, pursuant to K.S.A. 40-108, 2012 Annual Report, summarizing the activities of the Kansas Insurance Department through December 31, 2012, p. 244.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Kansas Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for the January 2013 reporting period, p. 320.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for February 2013, p. 421.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental Remediation, Department of Health and Environment, Treece Relocation Trust Fiscal Year 2012 Auditor's Report and Financial Statements, p. 421.

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 74-7316, 2012 annual report of the Crime Victims Compensation Board, p. 881.

From David N. Harper, Director, Division of Property Valuation, Kansas Department of Revenue, in accordance with K.S.A. 79-1490, Kansas 2012 Preliminary Appraisal/Sales Real Estate Ratio Study, p. 881.

From Bob Jurgens, Chief, Assessment & Restoration Section, Bureau of Environmental

Remediation, Kansas Department of Health & Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for March 2013 reporting period, p. 881.

From William V. Minner, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004, Annual Report Fiscal Year 2012, July 1, 2011-June 30, 2012, p. 886.

From Bob Jurgens, Assessment & Restoration Section, Bureau of environmental Remediation, Kansas Department of Health and Environment, in accordance with K.S.A. 49-512(h), Treece Relocation Assistance Project Monthly Expenditure/Income Report for April 2013, p. 1032.

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, in accordance with K.S.A. 60-4117, report for the Kansas Department of Corrections State Forfeiture Fund for the period of December 2, 2011 through December 1, 2012, p. 1037.

SPECIAL REMARKS

State of the State address, January 15, 2013, pp. 52-58.

Rep. Meier, in recognition of Kansas Armed Forces Appreciation Day, pp. 92-93.

Rep. Ballard, in recognition of the birthday of Martin Luther King, Jr., p. 94-95.

MESSAGES FROM THE GOVERNOR

Executive Reorganization Order, No. 42, concerning the reorganization of the Juvenile Justice Authority and the department of corrections, p. 87.

Executive Directive No. 13-438, concerning authorizing expenditure of federal funds, p. 163.

Executive Directive No. 13-439, Authorizing Expenditure of Federal Funds, p. 881

Veto message regarding **House Bill 2120**, ...the language in this legislation violates Article 15, Section 3 of the Kansas Constitution...Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **House Bill 2120**, p. 1037.

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This index includes all legislation sponsored by House Members, House committees, Joint Committees, Select Committees and Special Committees.

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- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Cassidy, Ward

- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Christmann, Marshall

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2175 Relating to official misconduct.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

- HR 6017 Designating March 11th-17th , 2013, as "Multiple Sclerosis Awareness Week."
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Claeys, J. R.

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Clayton, Stephanie

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Concannon, Susan

- HB 2205 Adoption hearings; time and waiver of notice.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Corbet, Ken

- HB 2199 Second amendment protection act.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Couture-Lovelady, Travis

HB 2199 Second amendment protection act.

HB 2280 School districts; establishing celebrate freedom week and related curriculum.

HB 2330 Relating to marriage licenses.

HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.

HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

HR 6027 Recognizing the Boy Scouts of America for the public service it performs.

HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Crum, Dave

HB 2176 The Eisenhower foundation license plate.

HB 2199 Second amendment protection act.

HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.

HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.

HCR 5010 State constitutional amendment; human life amendment.

HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.

HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

HR 6027 Recognizing the Boy Scouts of America for the public service it performs.

HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Davis, Paul

HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.

HB 2279 Kansas Buy American Act.

HB 2327 Enacting the food sales tax refund.

HB 2328 Providing homestead property tax refunds for renters.

HB 2329 Earned income tax credit increased.

HB 2331 Providing for Kansas income tax credit for certain adoption expenses.

HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions

HB 2334 Requiring prevailing wage for public works projects.

HCR 5001 Joint session for hearing a message of the governor.

HCR 5012 Revising article 10 of the Kansas constitution; establishing a redistricting commission.

HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.

HCR 5017 Adjournment of legislature for a time during the 2013 session.

HR 6001 Organization of the House of Representatives, 2013.

HR 6002 Assignment of seats in House of Representatives, 2013.

HR 6003 Rules of the House of Representatives, temporary 2013 session.

HR 6004 Rules of House of Representatives, permanent rules of the 2013-2014 biennium.

HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

HR 6018 Congratulating and commending Mary Torrence, Revisor of Statutes, on her retirement.

HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

DeGraaf, Pete

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Dierks, Diana

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2175 Relating to official misconduct.
- HB 2205 Adoption hearings; time and waiver of notice.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Dillmore, Nile

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Doll, John

- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2176 The Eisenhower foundation license plate.
- HB 2205 Adoption hearings; time and waiver of notice.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of

Armenia.

Dove, Willie

- HB 2109 School finance; military pupil count.
- HB 2176 The Eisenhower foundation license plate.
- HB 2203 Relating to exercise of religion.
- HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Edmonds, John

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Edwards, Joe

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
- HB 2109 School finance; military pupil count.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Esau, Keith

- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2205 Adoption hearings; time and waiver of notice.

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Ewy, John

- HB 2109 School finance; military pupil count.
 HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
 HB 2176 The Eisenhower foundation license plate.
 HB 2203 Relating to exercise of religion.
 HB 2335 Establishing a program for drug screening for cash assistance recipients.
 HCR 5010 State constitutional amendment; human life amendment.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Finch, Blaine

- HB 2109 School finance; military pupil count.
 HB 2176 The Eisenhower foundation license plate.
 HB 2205 Adoption hearings; time and waiver of notice.
 HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Finney, Gail

- HB 2008 Amending the statute of limitations for prosecution of sexually violent offenses where the victim is under 18 years of age.
 HB 2009 Relating to restricted driving privileges in lieu of suspension.
 HB 2010 Business entities; restricting the use of an acquired entity's name by an acquiring entity.
 HB 2109 School finance; military pupil count.
 HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
 HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
 HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
 HB 2279 Kansas Buy American Act.
 HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
 HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
 HB 2327 Enacting the food sales tax refund.
 HB 2328 Providing homestead property tax refunds for renters.
 HB 2329 Earned income tax credit increased.
 HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
 HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6022 Recognizing the contributions made by the citizens of Azerbaijan.
 HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Frownfelter, Stan

- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
 HB 2279 Kansas Buy American Act.
 HB 2329 Earned income tax credit increased.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Gandhi, Shanti

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Garber, Randy

- HB 2161 Concerning the National Defense Authorization Act.
 HB 2175 Relating to official misconduct.
 HB 2199 Second amendment protection act.
 HB 2203 Relating to exercise of religion.
 HB 2205 Adoption hearings; time and waiver of notice.
 HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
 HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
 HB 2335 Establishing a program for drug screening for cash assistance recipients.
 HCR 5010 State constitutional amendment; human life amendment.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6019 Declaring July 27, 2013 as "Joe Tinker Day".
 HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Goico, Mario

- HB 2109 School finance; military pupil count.
 HB 2175 Relating to official misconduct.
 HB 2176 The Eisenhower foundation license plate.
 HB 2199 Second amendment protection act.

- HB 2203 Relating to exercise of religion.
- HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HCR 5018 Army Chaplain Father, Emil Kapaun; medal of Honor winner.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6024 Recognizing Mark Allen for his instrumental work in returning Dr. Naismith's original rules of basketball back to Kansas.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Gonzalez, Ramon

- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Grant, Bob

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2334 Requiring prevailing wage for public works projects.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Grosserode, Amanda

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.

- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Hawkins, Daniel

- HB 2109 School finance; military pupil count.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Hedke, Dennis

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Henderson, Broderick

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.

- HB 2329 Earned income tax credit increased.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Henry, Jerry

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Hermanson, Phil

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Hibbard, Larry

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Highland, Ron

- HB 2199 Second amendment protection act.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Hildabrand, Brett

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HCR 5016 Making application to the U.S. congress to call a constitutional convention.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Hill, Don

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2205 Adoption hearings; time and waiver of notice.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Hineman, Don

- HB 2109 School finance; military pupil count.
- HB 2176 The Eisenhower foundation license plate.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Hoffman, Kyle

- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Houser, Michael

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Houston, Roderick

- HB 2109 School finance; military pupil count.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HB 2334 Requiring prevailing wage for public works projects.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Howell, Jim

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
- HB 2109 School finance; military pupil count.
- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5010 State constitutional amendment; human life amendment.

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
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HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Huebert, Steve

- HB 2003 School districts; finance; amendments to funding formula.
HB 2004 Retaining students from grade-level promotion if not proficient on the reading state assessment for grade three.
HB 2005 State aid for capital improvements and capital outlay for school districts.
HB 2199 Second amendment protection act.
HB 2203 Relating to exercise of religion.
HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
HB 2330 Relating to marriage licenses.
HCR 5010 State constitutional amendment; human life amendment.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
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HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Hutton, Mark

- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Jennings, Russell

- HB 2176 The Eisenhower foundation license plate.
HB 2205 Adoption hearings; time and waiver of notice.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6027 Recognizing the Boy Scouts of America for the public service it performs.

- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Johnson, Steven

- HB 2109 School finance; military pupil count.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Jones, Kevin

- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Kahrs, Mark

- HB 2176 The Eisenhower foundation license plate.
- HB 2203 Relating to exercise of religion.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
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- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Kelley, Kasha

- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Kelly, Jim

- HB 2109 School finance; military pupil count.
 HB 2176 The Eisenhower foundation license plate.
 HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Kinzer, Lance

- HB 2203 Relating to exercise of religion.
 HB 2330 Relating to marriage licenses.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

Kleeb, Marvin

- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Kuether, Annie

- HB 2109 School finance; military pupil count.
 HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
 HB 2176 The Eisenhower foundation license plate.
 HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
 HB 2279 Kansas Buy American Act.
 HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
 HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
 HB 2327 Enacting the food sales tax refund.
 HB 2328 Providing homestead property tax refunds for renters.
 HB 2329 Earned income tax credit increased.
 HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
 HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6027 Recognizing the Boy Scouts of America for the public service it performs.

- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6034 Recognizing the success of the STARBASE program in Kansas.

Lane, Harold

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Lunn, Jerry

- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Lusk, Nancy

- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2329 Earned income tax credit increased.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Macheers, Charles

- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Mast, Peggy

- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

McPherson, Craig

- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Meier, Melanie

- HB 2109 School finance; military pupil count.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6022 Recognizing the contributions made by the citizens of Azerbaijan.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Meigs, Kelly

- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Menghini, Julie

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Merrick, Ray

- HCR 5001 Joint session for hearing a message of the governor.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HCR 5017 Adjournment of legislature for a time during the 2013 session.
- HR 6001 Organization of the House of Representatives, 2013.
- HR 6002 Assignment of seats in House of Representatives, 2013.
- HR 6003 Rules of the House of Representatives, temporary 2013 session.
- HR 6004 Rules of House of Representatives, permanent rules of the 2013-2014 biennium.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6018 Congratulating and commending Mary Torrence, Revisor of Statutes, on her retirement.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Montgomery, Robert

- HB 2109 School finance; military pupil count.
- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Moxley, Tom

- HB 2109 School finance; military pupil count.

- HB 2205 Adoption hearings; time and waiver of notice.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6022 Recognizing the contributions made by the citizens of Azerbaijan.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

O'Brien, Connie

- HB 2109 School finance; military pupil count.
HB 2161 Concerning the National Defense Authorization Act.
HB 2175 Relating to official misconduct.
HB 2199 Second amendment protection act.
HB 2203 Relating to exercise of religion.
HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
HB 2280 School districts; establishing celebrate freedom week and related curriculum.
HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
HCR 5010 State constitutional amendment; human life amendment.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Osterman, Leslie

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
HB 2109 School finance; military pupil count.
HB 2199 Second amendment protection act.
HB 2203 Relating to exercise of religion.
HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
HB 2280 School districts; establishing celebrate freedom week and related curriculum.
HB 2330 Relating to marriage licenses.
HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Pauls, Janice

- HB 2109 School finance; military pupil count.
HB 2176 The Eisenhower foundation license plate.
HB 2199 Second amendment protection act.
HB 2203 Relating to exercise of religion.
HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
HB 2327 Enacting the food sales tax refund.
HB 2328 Providing homestead property tax refunds for renters.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.

- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Peck, Virgil

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Perry, Emily

- HB 2205 Adoption hearings; time and waiver of notice.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Peterson, Mike

- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Petty, Reid

- HB 2161 Concerning the National Defense Authorization Act.
- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Phillips, Tom

- HB 2109 School finance; military pupil count.
HB 2176 The Eisenhower foundation license plate.
HB 2205 Adoption hearings; time and waiver of notice.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6013 Commemorating the 150th anniversary of Kansas State University.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
HR 6029 Congratulating and commending Kansas State University quarterback Collin Klein for his achievements on and off the football field.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Powell, Josh

- HB 2203 Relating to exercise of religion.
HB 2280 School districts; establishing celebrate freedom week and related curriculum.
HB 2330 Relating to marriage licenses.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Proehl, Richard

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Read, Marty

- HB 2161 Concerning the National Defense Authorization Act.
HB 2175 Relating to official misconduct.
HB 2199 Second amendment protection act.
HB 2280 School districts; establishing celebrate freedom week and related curriculum.
HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Rhoades, Marc

- HB 2203 Relating to exercise of religion.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Rooker, Melissa

- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Rothlisberg, Allan

- HB 2109 School finance; military pupil count.
- HB 2161 Concerning the National Defense Authorization Act.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2175 Relating to official misconduct.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5006 Constitutional amendment limiting terms of legislators to 12 consecutive years.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Rubin, John

- HB 2175 Relating to official misconduct.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."

HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Ruiz, Louis

- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6011 Congratulating the University of Kansas Cancer Center on receiving National Cancer Institute designation.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Ryckman Jr., Ron

- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Ryckman Sr., Ronald

- HB 2109 School finance; military pupil count.
- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2330 Relating to marriage licenses.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6021 Declaring the month of April "Parkinson's Awareness Month".
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Sawyer, Tom

- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified

- birth certificate by secretary of KDHE.
 HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
 HB 2327 Enacting the food sales tax refund.
 HB 2328 Providing homestead property tax refunds for renters.
 HB 2329 Earned income tax credit increased.
 HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
 HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
 HB 2334 Requiring prevailing wage for public works projects.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Schroeder, Don

- HB 2109 School finance; military pupil count.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
 HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Schwab, Scott

- HB 2109 School finance; military pupil count.
 HB 2199 Second amendment protection act.
 HB 2203 Relating to exercise of religion.
 HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
 HB 2280 School districts; establishing celebrate freedom week and related curriculum.
 HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6016 Honoring the life of Jim Weaver.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Schwartz, Sharon

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
 HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
 HR 6023 Congratulating the U.S. 36 Highway Association on its 100th anniversary.
 HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
 HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Seiwert, Joe

- HB 2109 School finance; military pupil count.
 HB 2219 Kansas indoor clean air act; smoking permitted certain premises.
 HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.

- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Shultz, Clark

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Siegfreid, Arlen

- HB 2109 School finance; military pupil count.
- HB 2203 Relating to exercise of religion.
- HB 2243 Health insurance; mandate lite health benefit plans; specially designed policies.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2317 Insurance; coverage for autism spectrum disorder.
- HB 2330 Relating to marriage licenses.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Sloan, Tom

- HB 2062 Fire districts; multiple counties; detachment procedures.
- HB 2109 School finance; military pupil count.
- HB 2128 Open records act; exceptions.
- HB 2257 Board of barbering; establishing a process whereby a licensed cosmetologist may become a licensed barber; if licensed barber owns a cosmetology services salon, the board of barbering would inspect such salon.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Sloop, Patricia

- HB 2109 School finance; military pupil count.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Suellentrop, Gene

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Sutton, William

- HB 2199 Second amendment protection act.
- HB 2203 Relating to exercise of religion.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6005 Resolution recognizing National Catholic Schools Week.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6028 Designating April as Autism Awareness Month.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6036 Supporting the 200+ years of Judeo-Christian tradition and its open expression the U.S. Military.

Swanson, Vern

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6009 Designating February 15, 2013 as "Emporia State University Day".
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Thimesch, Jack

- HB 2109 School finance; military pupil count.
- HB 2168 Amendments to the Kansas Expanded Lottery Act; race track gaming; other.
- HB 2324 Prohibiting an abortion of an unborn human individual with a detectable fetal heartbeat.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.
- HCR 5010 State constitutional amendment; human life amendment.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Tietze, Annie

- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Todd, James

- HB 2175 Relating to official misconduct.
- HB 2199 Second amendment protection act.
- HB 2280 School districts; establishing celebrate freedom week and related curriculum.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Trimmer, Ed

- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Vickrey, Jene

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Victors, Ponka-We

- HB 2109 School finance; military pupil count.
- HB 2167 Establishing Native American legislative day at the capitol.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6008 Designating February 6th, 2013 as "Native American Legislative Day at the Capitol".
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Ward, Jim

- HB 2029 Relating to the HCBS I/DD waiver.
- HB 2032 Relating to eligibility requirements for the Kansas program of medical assistance.
- HB 2039 Fair elections act; secretary of state; prohibitions of contributions to and endorsement of other elected officials.
- HB 2040 Relating to certain addresses to the legislature.
- HB 2109 School finance; military pupil count.
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6006 Resolution disapproving Governor's executive reorganization order No. 42.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.
- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Waymaster, Troy

- HB 2109 School finance; military pupil count.
- HB 2176 The Eisenhower foundation license plate.
- HB 2199 Second amendment protection act.
- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2335 Establishing a program for drug screening for cash assistance recipients.

- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Weber, Brian

- HB 2035 Cities; experience requirements for plumbers, electricians and certain mechanical contractors.
HB 2175 Relating to official misconduct.
HB 2205 Adoption hearings; time and waiver of notice.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Weigel, Virgil

- HB 2109 School finance; military pupil count.
HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
HB 2279 Kansas Buy American Act.
HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
HB 2327 Enacting the food sales tax refund.
HB 2328 Providing homestead property tax refunds for renters.
HB 2329 Earned income tax credit increased.
HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Whipple, Brandon

- HB 2063 Income tax credit for property taxes paid on homestead damaged by natural disaster.
HB 2109 School finance; military pupil count.
HB 2176 The Eisenhower foundation license plate.
HB 2199 Second amendment protection act.
HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
HB 2279 Kansas Buy American Act.
HB 2327 Enacting the food sales tax refund.
HB 2328 Providing homestead property tax refunds for renters.
HB 2329 Earned income tax credit increased.
HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
HB 2334 Requiring prevailing wage for public works projects.
HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
HR 6025 Congratulating the Wichita South High School women's basketball team on its class 6A state championship.
HR 6026 Congratulating the Sedgwick County 4-H Shooting Sports Gold Team on its first place finish at the state shooting match.

- HR 6027 Recognizing the Boy Scouts of America for the public service it performs.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6032 Congratulating Wichita State Athletics on their successful year in sports.

Wilson, John

- HB 2205 Adoption hearings; time and waiver of notice.
- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

Winn, Valdenia

- HB 2273 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- HB 2279 Kansas Buy American Act.
- HB 2281 Voter identification; deleting requirement of proof of citizenship and provision of free certified birth certificate by secretary of KDHE.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2323 Indexing the minimum wage to the CPI.
- HB 2327 Enacting the food sales tax refund.
- HB 2328 Providing homestead property tax refunds for renters.
- HB 2329 Earned income tax credit increased.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.
- HR 6033 Congratulating Sumner Academy of Arts and Science on being ranked the best high school in Kansas.

Wolfe Moore, Kathy

- HB 2109 School finance; military pupil count.
- HB 2252 Amending the statute of limitations for rape and other sexually violent crimes.
- HB 2279 Kansas Buy American Act.
- HB 2284 Health insurance; requires use of any willing provider pharmacy to fill prescriptions.
- HB 2331 Providing for Kansas income tax credit for certain adoption expenses.
- HB 2333 Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions
- HCR 5015 Commending the business and philanthropic achievements of native Kansan, David G. Booth.
- HR 6014 Congratulating the 2014 Vanguard graduating class of the Kansas Academy of Mathematics and Science.
- HR 6030 Designating April 4 as "Welcome Home Vietnam Veterans Day."
- HR 6031 Celebrating the 10th anniversary of Kansas's bilateral relationship with the Republic of Armenia.

State Legislature, House Committees (Various)*Agriculture and Natural Resources*

- HB 2030 Creating deer hunting permits for injured combat veterans.
- HB 2031 Distribution of sales and use tax revenue; funding streams to the state water plan fund.
- HB 2049 Kansas department of agriculture; increasing certain fees and eliminating sunsets on various program fees.
- HB 2050 Agriculture; agricultural chemical registration; pesticide business liability insurance; repeal of the Kansas agricultural liming materials act.
- HB 2051 Water; creating limited transfer permits; dams, inspection; multi-year flex account incentive; administrative review of certain orders of the chief engineer and repealing certain water statutes.
- Sub HB2051 Substitute for HB 2051 by Committee on Agriculture and Natural Resources--Amending provisions relating to dams, obstructions, streams and water flex accounts and transfer permits.
- HB 2090 Establishing the Kansas equine education and promotion board.
- HB 2121 Imposing well spacing requirements for future points of diversion of water.
- HB 2171 Establishing agreed local management areas.
- HB 2202 Providing automatic relief from certain motor carrier restrictions upon the governor's declaration of emergency.
- HB 2207 Establishing separation distances for a confined feeding facility upon submission of a notice of intent to construct such facility.
- Sub HB2207 Substitute HB 2207 by Committee on Agriculture and Natural Resources--Amending provisions relating to the regulation and certification of animal feeding facilities.
- HB 2292 Limiting nuisance actions against certain agricultural activities.
- HB 2321 Standards for use of graywater.
- HB 2344 Adding certain agricultural production NAICS subsectors to the definition of "qualified firm" for purposes of the high performance incentive program.
- HB 2362 Amending the provisions of the nongame and endangered species conservation act.
- HB 2363 Exempting certain aggregate mining operations from department of health and environment regulations.

Appropriations

- HB 2088 Supplemental appropriations for FY 2012, FY 2013 and FY 2014 for various state agencies.
- HB 2160 Quality care assessment on skilled nursing care facilities.
- HB 2228 Decreased employer payments to group insurance reserve fund for KPERS plan of death and long-term disability benefits during fiscal years 2014 and 2015.
- HB 2229 Capital improvement projects for various state agencies.
- HB 2230 Authorizing transfer from the expanded lottery act revenues fund to the department of education for KPERS employer contributions for school districts.
- HB 2231 Appropriations for FY 2014, FY 2015, FY 2016, FY 2017 and FY 2018 for various state agencies.
- Sub HB2231 Substitute HB 2231 by Committee on Appropriations - Appropriations for FY 2014, FY 2015, FY 2016, FY 2017 and FY 2018 for various state agencies; capital improvement projects.
- HB 2234 Naming the secretary of transportation as the chairperson and chief executive officer of the Kansas turnpike authority; contracts between the authority and the Kansas department of transportation.
- HB 2262 Abolishing the oil and gas valuation depletion trust fund.
- Sub HB2262 Substitute HB 2262 by Committee on Appropriations - Amending the percentage amount that is deposited into the oil and gas valuation depletion trust fund from 12.41% to 8.25%.
- HB 2293 Racing and gaming commission; compensation of members.
- HB 2296 Campaign finance; permitted uses of campaign funds.
- HB 2325 State employees; abolishing longevity bonus payments.
- HB 2337 Lottery, gaming, parimutuel winnings, debt set off; child support.
- HB 2338 Courts; docket fees.
- HB 2351 Appropriations for DD waiver for FY 2014 and 2015.
- HB 2354 Ethics commission; fees.
- HB 2359 Plant protection; live plant dealer's licenses.

- HB 2371 Low-income family postsecondary savings accounts incentive program; elimination of program.
- HB 2375 School sports head injury prevention act.
- HB 2377 Relating to court fees and costs; judicial branch surcharge fund.
- HB 2380 Three-year phase in of cost-of-living adjustment for certain retired members of KPERS.
- HB 2381 Election campaign finance; removing certain limitations to contributions made during legislative sessions.
- HB 2384 On July 1, 2013, all new hires and state agency attorneys, supervisors and positions that perform information technology functions are unclassified; certain exceptions.
- HB 2391 School finance; amount of tax levy authorized to finance ancillary school facilities.
- HB 2392 School finance; use of capital outlay funds.
- HB 2395 Insurance; coverage for autism spectrum disorder.
- HB 2396 Allowing the secretary of administration to identify state owned real property as surplus property and establishing an appeals process of such identification; also amending procedures for the disposition of state surplus real estate.
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- HB 2403 Issuing \$1,500,000,000 of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS.
- HB 2405 Sales and compensating use tax; distribution of revenues.
- HB 2408 Sales tax exemption for food and food ingredients.
- HB 2411 Prohibiting governmental entities from purchasing aircraft unless such aircraft has been manufactured, assembled and sold in Kansas; excluding purchases for military purposes.
- HB 2412 Concerning utilities and approval of the construction of electric transmission lines.
- HB 2413 Renaming the court of tax appeals to the board of tax appeals; salary and removal of members; powers of the board.
- HB 2414 Establishing a central filing system for security interests in farm products.
- HCR 5011 A resolution to stop Kansas participation in the expansion of medicaid services.
- HCR 5013 A resolution indicating the legislature's intention not to expand medicaid services in Kansas.

Children and Seniors

- HB 2131 Eligibility of applicants for assistance to transportation systems.
- HB 2233 Enacting the protective parent reform act.
- HB 2283 Nurse aide trainees; criminal history record information check; before the start of school.
- HB 2348 Adult care homes; staffing; inspections; admissions; reporting; penalties.
- HR 6010 Urging Congress to adopt the parental rights amendment.

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- HB 2022 Certain deductions from wages authorized.
- HB 2023 Certain deductions from wages authorized.
- HB 2024 Kansas Roofing Registration Act.
- Sub HB 2024 Substitute HB 2024 by Committee on Commerce, Labor and Economic Development - Kansas Roofing Registration Act.
- Sub HB 2027 Substitute HB 2027 by Committee on Commerce, Labor and Economic Development- Contract negotiations for certain professional employees.
- HB 2069 Public policy; certain city ordinances and county resolutions declared void.
- HB 2083 Public employees relations board; assessment of certain costs.
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- HB 2087 Extending PEAK benefit term for companies with agreements entered into prior to 2013.
- HB 2105 Employment security law
- Sub HB 2105 Substitute HB 2105 by Committee on Commerce, Labor and Economic Development - Employment security law.
- HB 2122 Real estate brokers and salespersons; licensing requirements; sales transaction requirements.
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- HB 2172 Cemeteries; cemetery corporations and cemetery merchandise.
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- HB 2341 Allowing court reporters licensed in another state to take depositions in Kansas.
- HCR 5007 Economic freedom amendment.

Corrections and Juvenile Justice

- H Sub SB167 House Substitute for SB 167 by Committee on Corrections and Juvenile Justice - Juvenile justice authority; new community based service alternatives; new residential services levels; establishment of performance measures and payment methodologies.
- HB 2034 Use of tracking devices by law enforcement.
- HB 2041 Criminal history record information; definition; municipal court reporting; district court reporting.
- HB 2043 Aggravated battery; driving under the influence.
- HB 2044 Increasing the penalty for a person who distributes a controlled substance that causes great bodily harm or death.
- HB 2045 Imposing school attendance and minimum grade point average requirements upon certain drivers.
- HB 2064 Law enforcement agency payment rate to health care providers for persons in custody.
- HB 2065 Relating to the crime of home improvement fraud.
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- HB 2081 Forfeiture of property related to violations of certain criminal acts.
- HB 2120 Updating provisions relating to the Kansas bureau of investigations DNA database.
- HB 2169 Allowing for proceedings to determine final disposition of prisoner's pending probation revocations.
- HB 2170 Concerning sentencing dispositions, probation and postrelease supervision.
- HB 2208 Juvenile justice authority; new community based services and residential care.
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- HB 2217 Creating the crime of female genital mutilation and setting the penalty.
- HB 2218 Driving under the influence of alcohol or drugs; tests; implied consent; administrative hearings.
- HB 2256 Amending provisions relating to municipal appearance bonds.
- HB 2276 Allowing prison-made goods to continue to be sold in Kansas.
- HB 2277 Amending provisions relating to the law enforcement powers of juvenile justice authority officers.
- HB 2278 Creating a penalty enhancement for the theft or burglary of a firearm.
- HB 2288 Amending provisions relating to offender registration.
- HB 2298 Amending the crimes of interference with law enforcement and giving a false alarm.
- HB 2299 Amending the crimes of assault and battery against a law enforcement officer to include animal control officers and firefighters.
- HB 2353 Adding certain controlled substances as schedule I drugs.

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- H Sub SB22 House Substitute for SB 22 by Committee on Education - Enacting the corporate education tax credit scholarship program act.
- HB 2221 Enacting the equal access act; school employees; professional employees organization.
- HB 2222 School districts; bullying policies.
- HB 2232 Providing professional liability insurance to teachers.
- HB 2248 Providing authority for a school district to adopt an extracurricular school activities budget.
- HB 2261 Authorizing the expenditure of unencumbered balances held by school district; removing the

- cap for contingency reserve fund.
- HB 2263 Enacting the school district special needs scholarship program.
- HB 2264 School districts; capital improvements.
- HB 2265 Requiring 65% of state moneys received by school districts to be expended for instruction.
- HB 2282 Establishing the personal financial literacy incentive program.
- HB 2289 Prohibiting the use of common core standards.
- HB 2290 Requiring an election to authorize expenditures for school finance litigation.
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- HB 2307 High school athletes; cheerleading.
- HB 2308 KPERS; working after retirement limitations and adjusting definition of compensation for purposes of computing final average salary.
- HB 2349 School districts; audit by legislative post audit committee.
- HB 2350 Removing the authority to receive certain federal aid for educational purposes.

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- HB 2215 School districts; transportation of nonresident pupils.
- HB 2242 Qualifications for resident fees for military personnel and veterans.
- HB 2297 School finance litigation; burden of proof.

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- H Sub SB64 House Substitute for SB 64 by Committee on Elections - Municipalities; elections; odd-numbered years; non-partisan.
- HB 2095 Government ethics commission; term limits.
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- HB 2129 County treasurers; term of office starting date.
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- HB 2367 Energy; relating to wind turbine siting setback requirements.
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- H Sub SB226 House Substitute for SB 226 by Committee on Federal and State Affairs -- Fireworks; regulation

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- Sub HB2002 Substitute for HB 2002 by Committee on Federal and State Affairs -- Legislative post audit; financial and security audits.
- HB 2033 Concerning the regulation of knives.
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 HB 2159 State court of tax appeals; filing fees; telephone hearings; terms of judges; initial pleadings.
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 HB 2216 Repealing certain joint committees and amending related statutes; amending the joint committees on special claims against the state.
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- HB 2259 Domestic relations; relating to divorce; service of process.
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- HB 2336 Relating to the open meetings act.
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- HB 2361 Relating to low-profit limited liability companies.
- HCR 5002 Constitutional amendment revising article 3, relating to the judiciary; allowing the governor to appoint supreme court justices and court of appeals judges, subject to senate confirmation; abolishing the supreme court nominating commission.
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- HB 2244 Taxation of watercraft.
- HB 2245 Allowing boards of county commissioners to exempt severed minerals from ad valorem taxation.
- HB 2267 Adding NAICS subsector 112 to the definition of "qualified firm" for purposes of the high performance incentive program.
- HB 2268 Providing an income tax deduction for certain long-term care premiums.
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- HB 2404 Amending definitions related to agricultural corporations and repealing certain agricultural corporation statutes.
- HB 2407 Sales tax exemption for business property construction.
- HB 2409 Income tax credit for alternative fueled motor vehicle property expenditures; defining liquified and compressed natural gas as alternative fuel; increasing the credit for alternative fuel fueling stations.
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- HB 2177 Relating to motor carriers; concerning safety rules and regulations; certificates of convenience and necessity; transportation of certain materials.
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- HB 2310 Highway advertising; permitting spot zoning.
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- HB 2357 242nd engineer company – KS army national guard – memorial highway.
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- HB 2220 Income tax deduction for armed service members on active duty.
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- HB 2093 Amending the crime of identity theft.
- HB 2094 Student electronic privacy at public and private postsecondary educational institutions.
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- HB 2237 Prescription monitoring program and other programs serving pharmacists and non-pharmacists; user fees.
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SB 102 Requiring the state treasurer to provide a list of daily deposits to the secretary of administration.

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SB 23 Continuation of statewide tax levy for public schools.

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HB 2021 Authorizing the sale or exchange of Emporia State University property.

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PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

2013 SPECIAL SESSION

SEPTEMBER 3, 2013 THROUGH SEPTEMBER 4, 2013

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

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Governor

SAM BROWNBACK, Topeka

Lieutenant Governor

JEFF COLYER, Overland Park



OFFICERS OF THE HOUSE

Special Session of 2013



Ray Merrick.....	Speaker
Peggy Mast	Speaker Pro Tem
Jene Vickrey	Majority Leader
Paul Davis	Minority Leader
Susan Kannarr	Chief Clerk
Mike Lietz.....	Sergeant-at-Arms

HOUSE OF REPRESENTATIVES—2013 Special Session MEMBERS LISTED ALPHABETICALLY

<i>Name</i>	<i>Party</i>	<i>Dist.</i>	<i>Occupation</i>
Alcala, John , Shawnee	Dem.	57	Production Sch./Buyer
Alford, Steve , Grant	Rep.	124	Farmer
Ballard, Barbara , Douglas	Dem.	44	University Administrator
Barker, John , Reno	Rep.	70	Retired Judge
Becker, Steven , Reno	Rep.	104	Retired District Court Judge
Bideau, Ed , Neosho	Rep.	9	Attorney
Boldra, Sue , Ellis	Rep.	111	Educator
Bollier, Barbara , Johnson	Rep.	21	Retired Physician
Bradford, John , Leavenworth	Rep.	40	Consultant
Bridges, Carolyn , Sedgwick	Dem.	83	School administration, Rental properties
Bruchman, Rob , Johnson	Rep.	20	Attorney
Brunk, Steve , Sedgwick	Rep.	85	Real Estate and Business Broker
Burroughs, Tom , Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Campbell, Larry , Johnson	Rep.	26	Banking/Professor
Carlin, Sydney , Riley	Dem.	66	Investments, Property manager
Carlson, Richard , Pottawatomie	Rep.	61	Business and Investments
Carpenter, Will , Butler	Rep.	75	Business Owner
Cassidy, Ward , Cheyenne	Rep.	120	Educator
Christmann, Marshall , Rice	Rep.	113	Municipal Judge(Ret.), Chief Labor Negotiator
Claeys, J. R. , Saline	Rep.	69	Nonprofit Management
Clayton, Stephanie , Johnson	Rep.	19	Social Media Consultant
Concannon, Susan , Mitchell	Rep.	107	Executive Director- Medical Foundation
Corbet, Ken , Shawnee	Rep.	54	Business Owner
Couture-Lovelady, Travis , Rooks	Rep.	110	Agriculture/Agritourism
Crum, Dave , Butler	Rep.	77	Retired Optometrist
Davis, Paul , Douglas	Dem.	46	Attorney
DeGraaf, Pete , Sumner	Rep.	82	Fin. Consulting,Ministry Director
Dierks, Diana , Saline	Rep.	71	Realtor
Dillmore, Nile , Sedgwick	Dem.	92	Development Specialist
Doll, John , Finney	Rep.	123	Self-employed
Dove, Willie , Wyandotte	Rep.	38	Insurance Sales
Edmonds, John , Barton	Rep.	112	Certified Public Accountant
Edwards, Joe , Sedgwick	Rep.	93	Pastor/evangelist
Esau, Keith , Johnson	Rep.	14	Software Engineer
Estes, Bud , Ford	Rep.	119	Farm machinery dealer
Ewy, John , Hodgeman	Rep.	117	Community College Professor
Finch, Blaine , Franklin	Rep.	59	Attorney
Finney, Gail , Sedgwick	Dem.	84	Small Business Owner

Frownfelter, Stan , Wyandotte	Dem.	37	Sales
Gandhi, Shanti , Shawnee	Rep.	52	Retired Physician
Garber, Randy , Nemaha	Rep.	62	Ret. Navy/Construction Worker
Goico, Mario , Sedgwick	Rep.	94	Financial Advisor
Gonzalez, Ramon , Jefferson	Rep.	47	Police Chief
Grant, Bob , Crawford	Dem.	2	Catering Business
Grosserode, Amanda , Johnson	Rep.	16	
Hawkins, Daniel , Sedgwick	Rep.	100	Insurance Agent
Hedke, Dennis , Sedgwick	Rep.	99	Consulting Geophysicist
Henderson, Broderick , Wyandotte	Dem.	35	Parking Controller Office
Henry, Jerry , Atchison	Dem.	63	Executive Director- Achievement Services
Hermanson, Phil , Sedgwick	Rep.	98	Realtor/Property Management
Hibbard, Larry , Woodson	Rep.	13	Rancher
Highland, Ron , Pottawatomie	Rep.	51	Retired Veterinarian
Hildabrand, Brett , Johnson	Rep.	17	Website Design
Hill, Don , Lyon	Rep.	60	Pharmacist
Hineman, Don , Lane	Rep.	118	Farmer
Hoffman, Kyle , Comanche	Rep.	116	Farmer/Rancher/Business owner
Houser, Michael , Cherokee	Rep.	1	Construction Estimator
Houston, Roderick , Sedgwick	Dem.	89	Minister
Howell, Jim , Sedgwick	Rep.	81	Flight Test Instrumentation
Huebert, Steve , Sedgwick	Rep.	90	Self-employed
Hutton, Mark , Sedgwick	Rep.	105	General Contractor
Jennings, Russell , Kearny	Rep.	122	Government Consulting
Johnson, Steven , Saline	Rep.	108	Farmer/Financial Services
Jones, Kevin , Franklin	Rep.	5	Entrepreneur
Kahrs, Mark , Sedgwick	Rep.	87	Attorney
Kelley, Kasha , Cowley	Rep.	80	Marketing
Kelly, Jim , Montgomery	Rep.	11	Banker
Kiegerl, Mike , Johnson	Rep.	121	Adjunct Professor, Ret.
Kinzer, Lance , Johnson	Rep.	30	Attorney
Kleeb, Marvin , Johnson	Rep.	48	Business Owner
Kuether, Annie , Shawnee	Dem.	55	
Lane, Harold , Shawnee	Dem.	58	Retired
Lunn, Jerry , Johnson	Rep.	28	Consultant/Real Estate Investment
Lusk, Nancy , Johnson	Dem.	22	Illustrator
Macheers, Charles , Johnson	Rep.	39	Attorney
Mast, Peggy , Lyon	Rep.	76	Retired
McPherson, Craig , Johnson	Rep.	8	Attorney
Meier, Melanie , Leavenworth	Dem.	41	Defense Contractor
Meigs, Kelly , Johnson	Rep.	23	Former Educator/Homemaker
Menghini, Julie , Crawford	Dem.	3	Human Resources Director
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Montgomery, Robert , Johnson	Rep.	15	Real Estates Services
Moxley, Tom , Morris	Rep.	68	Farmer / Rancher
O'Brien, Connie , Leavenworth	Rep.	42	Retired
Osterman, Leslie , Sedgwick	Rep.	97	Retired
Pauls, Janice , Reno	Dem.	102	Attorney
Peck, Virgil , Montgomery	Rep.	12	Insurance Agent
Perry, Emily , Johnson	Dem.	24	Attorney
Peterson, Mike , Wyandotte	Dem.	32	Attorney
Petty, Reid , Seward	Rep.	125	Teacher
Phillips, Tom , Riley	Rep.	67	Community Development Consultant
Powell, Josh , Shawnee	Rep.	50	Photographer
Proehl, Richard , Labette	Rep.	7	Banker
Read, Marty , Linn	Rep.	4	Auctioneer/Realtor/ Rancher
Rhoades, Marc , Harvey	Rep.	72	Small Business Owner
Rooker, Melissa , Johnson	Rep.	25	Retired film executive
Rothlisberg, Allan , Geary	Rep.	65	Retired
Rubin, John , Johnson	Rep.	18	Attorney and Arbitrator
Ruiz, Louis , Wyandotte	Dem.	31	Retired; Lucent
Ryckman Jr., Ron , Johnson	Rep.	78	Business Consultant
Ryckman Sr., Ronald , Meade	Rep.	115	Retired Teacher/Coach
Sawyer, Tom , Sedgwick	Dem.	95	Accountant
Schroeder, Don , McPherson	Rep.	74	Farmer
Schwab, Scott , Johnson	Rep.	49	Capital Markets
Schwartz, Sharon , Washington	Rep.	106	Business Manager/family farm
Seiwert, Joe , Reno	Rep.	101	Agribusiness Owner
Shultz, Clark , McPherson	Rep.	73	Title Insurance Agent
Sloan, Tom , Douglas	Rep.	45	Farmer and Consultant
Sloop, Patricia , Sedgwick	Dem.	88	Retired Clinical Social Worker
Suellentrop, Gene , Sedgwick	Rep.	91	Business Owner
Sutton, William , Johnson	Rep.	43	Steelworker
Swanson, Vern , Clay	Rep.	64	Retired Sales
Thimesch, Jack , Kingman	Rep.	114	Small Business, Concrete/Farmer
Tietze, Annie , Shawnee	Dem.	53	Teacher
Todd, James , Johnson	Rep.	29	Attorney at Law
Trimmer, Ed , Cowley	Dem.	79	Retired Educator
Vickrey, Jene , Miami	Rep.	6	Floor Covering
Victors, Ponka-We , Sedgwick	Dem.	103	Community Support Worker
Ward, Jim , Sedgwick	Dem.	86	Attorney
Waymaster, Troy , Russell	Rep.	109	Finance/Farming
Weigel, Virgil , Shawnee	Dem.	56	Writer
Whipple, Brandon , Sedgwick	Dem.	96	Teacher
Wilson, John , Douglas	Dem.	10	Non-profit Manager
Winn, Valdenia , Wyandotte	Dem.	34	College Professor
Wolfe Moore, Kathy , Wyandotte	Dem.	36	Business Director/KU Hospital

JOURNAL
OF THE
HOUSE

2013 SPECIAL SESSION
SEPTEMBER 3, 2013 THROUGH SEPTEMBER 4, 2013

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.

SPECIAL SESSION

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, September 3, 2013, 8:00 a.m.

Pursuant to the Governor's proclamation of August 6, 2013, the House met in special session at 8:00 a.m.

The following proclamation of the governor was read by Eric Rucker, Assistant Secretary of State.

**PROCLAMATION CALLING THE LEGISLATURE
INTO SPECIAL SESSION TO PROTECT
THE SAFETY OF THE CITIZENS OF KANSAS**

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, Public Safety is one of the primary roles of state government; and
WHEREAS, K.S.A. 21-6620 through 21-6625, the "Hard 50" law, is an important tool used by Kansas prosecutors to protect the public from many of the most vicious murderers; and

WHEREAS, Experts in the field believe the United States Supreme Court's ruling in *Alleyne v. United States* renders the "Hard 50" law unconstitutional and will, according to the Attorney General of Kansas "virtually guarantee" that dozens of violent offenders will receive significantly weaker sentences; and

WHEREAS, The Attorney General of Kansas has requested the Governor call a Special Session of the Legislature; and

WHEREAS, As Governor, I have a responsibility to the victims, their families, and their communities to see that justice is served and the citizens of Kansas are protected from violent criminals, now and in the future:

NOW, THEREFORE, I, SAM BROWNBACK, GOVERNOR OF THE STATE OF KANSAS, by the authority vested in me by the Constitution of the State of Kansas, do hereby call the

***Legislature of the State of Kansas into
Special Session to Protect the Safety of the Citizens of Kansas***

at the Capitol in Topeka, Kansas, on the 3rd day of September, 2013, at the hour of 8:00 o'clock a.m., to enact legislation by 5:00 o'clock p.m. on the 5th day of September 2013 to respond to the ruling of the United States Supreme Court in *Alleyne v. United States*.

DONE: At the Capitol in Topeka
under the Great Seal of the
State this 6th day of
August, A.D. 2013

BY THE GOVERNOR: SAM BROWNBACK
Governor of Kansas
 KRIS W. KOBACH
Secretary of State
 ERIC K. RUCKER
Assistant Secretary of State

OATH OF OFFICE

Representative-elect S. Mike Kiegerl took and subscribed to the the following oath of office, which was administered by Erna K. Loomis, Notary Public, State of Kansas.

STATE OF KANSAS, COUNTY OF JOHNSON, 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, and will faithfully discharge the duties of the office of member of the House of Representatives, so help me God.

Subscribed and sworn to, or affirmed, before me this 31st day of July, 2013.

ERNA K. LOOMIS
Notary Public-State of Kansas

Speaker Merrick called the House to order.

The roll was called with 122 members present.

Reps. Carpenter, Hedke and Hermanson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,
 with our leaders being called back into a special session
 to deal with certain issues,
 I am reminded of the record in the Old Testament
 when the King of Israel summoned the leaders
 to discuss a very serious issue.
 The words of advice given to those leaders from
 Your prophet, Isaiah were:
 “In repentance and rest is your salvation;
 In quietness and trust is your strength.”
 I pray this advice for our leaders today that
 they will recognize that You, O God,
 can bring wisdom, strength, and resolution.
 Grant them this, I pray, Amen.

The Pledge of Allegiance was led by Rep. Boldra.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6001**, by Reprs. Merrick 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:

Ray Merrick, speaker,
Peggy Mast, speaker pro tem,
Gene Vickrey, majority leader,
Paul Davis, minority leader,
Susan Kannarr, chief clerk,
Mike Lietz, sergeant at arms,
and awaits the pleasure of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6002**, by Reps. Merrick 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 2013 special session of the legislature shall occupy the same seats assigned pursuant to 2013 House Resolution No. 6002 with the following exceptions: Kiegerl, seat No. 81; Estes, seat No. 124.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

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 2001, AN ACT concerning crimes; enacting the Kansas protection against voter suppression act; amending the crime of perjury; amending K.S.A. 2012 Supp. 21-5903, as amended by section 1 of chapter 3 of the 2013 Session Laws of Kansas, and 25-2309 and repealing the existing sections, by Representative Ward.

HB 2002, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing of certain persons to mandatory minimum term of imprisonment of 40 or 50 years; amending K.S.A. 2012 Supp. 21-6620 and 21-6624 and repealing the existing sections, by Committee on Judiciary.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5001**, by Reps. Merrick and Davis, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION NO. 5001--

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: 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 inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

In accordance with **HCR 5001**, Speaker Merrick appointed Reps. Meigs, Proehl and Grant to wait upon the Governor

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker Merrick announced the referral of the following bills to committees as indicated:

Elections: **HB 2001**.

Judiciary: **HB 2002**.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

MESSAGE FROM THE GOVERNOR

Governor Brownback's Message Regarding the Special Session for Repairing Kansas' "Hard 50" Sentence

As you know, on July 24, 2013, Attorney General Derek Schmidt formally requested that I call a special session of the Kansas Legislature for the purpose of repairing Kansas's "Hard 50" sentence in the wake of the June 17, 2013 decision of the United States Supreme Court in *Alleyne v. United States*.

There is broad and bipartisan consensus across all of our state's law enforcement and prosecutorial agencies urging me to adopt the recommendation of Attorney General Schmidt. Likewise, there is broad and bipartisan support among the leaders of this Legislature that a special session is necessary and is in the best interests of public safety.

As the Attorney General has written, the "Hard 50" sentence "is a vital public safety tool enacted by the Legislature more than a decade ago to remove the 'worst of the worst' killers from society for at least 50 years." Legal experts and prosecutors across Kansas agree and have advised me that the *Alleyne* decision renders our "Hard 50"

sentence unconstitutional because under current law, it is imposed by a judge rather than by a jury.

Attorney General Schmidt has further advised that a relatively simple procedural fix allowing the jury to make the necessary factual findings, if adopted by the Legislature, will cure the constitutional defect. Until such a cure is enacted, however, all criminal defendants who would otherwise be eligible to receive the "Hard 50" sentence upon conviction will instead receive a maximum sentence of only 25 years. Due to the constitutional and statutory requirement that the state bring criminal defendants to trial in a speedy manner, this has created a situation where time is of the essence.

Enacting a Legislative cure during the 2014 regular session of the Kansas Legislature as would likely occur in the ordinary course of our legislative calendar will, in the words of Attorney General Schmidt, "virtually guarantee" an increase in "the number of convicted killers who will be eligible for parole after only 25 years instead of after 50 years." This fact led the Attorney General to opine that the current circumstance does in fact rise to the level of an "extraordinary occasion" sufficient to justify this office exercising its authority to call the Legislature into special session pursuant to Article 1, Section 5 of the Kansas Constitution.

As such, in my considered judgment, in reliance upon the advice of the Attorney General of the State of Kansas and the bipartisan consensus of the law enforcement community across Kansas, I find that these circumstances present a real and present danger to the public safety of the citizens of Kansas and does, if fact, constitute an "extraordinary occasion" justifying a special session of the Legislature.

I am confident that the Legislature can and will act quickly, with resolve and narrow focus to protect the safety of all Kansans by restoring to prosecutors the immediate ability to seek the "Hard 50" sentence for those criminals convicted of the "worst of the worst" kinds of crimes.

As of 8:00 A.M., September 3, 2013, pursuant to Article I, Section 5 of the Kansas Constitution, I hereby call the Kansas Legislature into special session.

MESSAGE FROM THE SENATE

Announcing adoption of **SR 1701**.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2002** be amended on page 1, in line 34, by striking "may" and inserting "shall";

On page 2, in line 24, by striking "sufficient" and inserting "presumed"; in line 25, by striking "aggravating circumstance" and inserting "prior conviction or convictions";

On page 3, in line 21, by striking "If any person who served on the trial jury is"; by striking all in lines 22 through 29; in line 30, by striking "defendant's sentence."; in line 31, by striking "may" and inserting "shall";

On page 4, in line 27, by striking "sufficient" and inserting "presumed"; also in line 27, by striking "aggravating"; in line 28, by striking "circumstance" and inserting "prior conviction or convictions"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House recessed until 3:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

HB 2003, AN ACT concerning appropriations for the fiscal years ending June 30, 2014, and June 30, 2015; relating to the Kansas department for aging and disability services, by Representatives Ballard, Carlin, Grant, Henry and Lane.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker Merrick announced the referral of the following bill to committee as indicated:

Calendar and Printing: **HB 2003**.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, to advance **HB 2002** to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call, roll call was taken.

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

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Hedke, Hermanson.

The motion prevailed and **HB 2002** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment, debate and roll call.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Committee report to **HB 2002** was adopted;

On motion of Rep. Whipple to amend **HB 2002**, the motion was withdrawn.

On motion of Rep. Ward to amend **HB 2002**, Rep. Kinzer requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

HB 2002, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing of certain persons to mandatory minimum term of imprisonment of 40 or 50 years; amending K.S.A. 2012 Supp. 21-6620 and 21-6624 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: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, C-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Estes, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Jr. Ryckman, Sr. Ryckman, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carpenter, Hedke, Hermanson.

The bill passed, as amended.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Wednesday, September 4, 2013.

SPECIAL SESSION

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, September 4, 2013, 8:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 120 members present.

Reps. Carpenter, Frownfelter, Hedke, Hermanson and Powell were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of power and might...
wisdom and justice,
today we acknowledge that through You
authority is rightly administered,
laws are enacted,
and judgment is decreed.
Assist these leaders by giving them
Your spirit of counsel and resilience.
Help them to seek Your ways of
righteousness, justice and mercy.
And, help them to choose, decide, and lead
with honesty and integrity.
Please be with Representative Seiwert
and his family at the death of his sister.
Bring comfort and peace
to them in this time of sorrow.
Selah – so be it, I pray, Amen.

The Pledge of Allegiance was led by Rep. Estes.

MESSAGE FROM THE SENATE

Announcing adoption of **HCR 5001**. Appointing Senators King and Haley as members of the committee.

On motion of Rep. Vickrey, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

On motion of Rep. Vickrey, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Merrick in the chair.

The House stood at ease until the sound of the gavel.

Speaker Merrick called the House to order.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5002**, by Reps. Merrick and Davis, as follows, was introduced and adopted.

HOUSE CONCURRENT RESOLUTION NO. **5002**--

A concurrent resolution relating to the 2013 special session of the legislature and providing for the adjournment thereof.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn sine die at the close of business of the daily session convened on September 4, 2013.

MESSAGE FROM THE SENATE

Announcing passage of **HB 2002**.

The hour for final adjournment having arrived, Speaker Merrick said, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2013 special session, I do now declare the House adjourned sine die."

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

MESSAGE FROM THE SENATE

Announcing passage of **HCR 5002**.

REPORT ON ENGROSSED BILLS

HB 2002 reported correctly engrossed September 04, 2013.

REPORT ON ENGROSSED RESOLUTIONS

HR 6001, HR 6002 reported correctly engrossed September 3, 2013.

HCR 5001 reported correctly engrossed September 4, 2013.

HCR 5002 reported correctly engrossed September 5, 2013.

REPORT ON ENROLLED BILLS

HB 2002 reported correctly enrolled, properly signed and presented to the Governor on September 6, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002 reported correctly enrolled and properly signed on September 5, 2013.

HCR 5001, HCR 5002 reported correctly enrolled and properly signed on September 6, 2013.

MESSAGES FROM THE GOVERNOR

HB 2002 approved on September 6, 2013

TITLE AND HISTORY OF HOUSE BILLS

- H 2001** Bill by Representative Ward
Elections; voter registration; proof of citizenship; sworn affidavit alternative.
09/03/2013 House—Introduced
09/03/2013 House—Referred to Committee on Elections
09/05/2013 House—Died in Committee
- H 2002** Bill by Judiciary
Sentencing of certain persons to mandatory minimum term of imprisonment of 40 or 50 years ("hard 40" or "hard 50").
09/03/2013 House—Introduced
09/03/2013 House—Referred to Committee on Judiciary
09/03/2013 House—Committee Report recommending bill be passed as amended by Committee on Judiciary
09/03/2013 House—On motion of Majority Leader Vickrey, an emergency was declared and HB 2001 was advanced to that order of business Final Action on Bills and Concurrent Resolutions, Subject to Amendment, Debate and Roll Call. Yea: 122 Nay: 0
09/03/2013 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0
09/03/2013 Senate—Received and Introduced
09/03/2013 Senate—Referred to Committee on Judiciary—SJ 8
09/04/2013 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 11
09/04/2013 Senate—Committee of the Whole - Be passed as amended
09/04/2013 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 19
09/06/2013 House—Enrolled and presented to Governor on Friday, September 06, 2013
09/06/2013 House—Approved by Governor on Friday, 06 September 2013
- H 2003** Bill by Representatives Ballard, Carlin, Grant, Henry, Lane
Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.
09/03/2013 House—Introduced
09/03/2013 House—Referred to Committee on Calendar and Printing
09/05/2013 House—Died in Committee

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5001** Concurrent Resolution by Representatives Merrick, Davis
Committee to inform governor that legislature is organized, special session 2013.
 09/03/2013 House—Introduced—HJ 4
 09/03/2013 House—Adopted without roll call—HJ 4
 09/03/2013 Senate—Received and Introduced—SJ 7
 09/03/2013 Senate—Adopted without roll call—SJ 8
 09/06/2013 House—Enrolled and presented to Secretary of State on Friday, September 06, 2013—HJ 10
- H 5002** Concurrent Resolution by Representatives Merrick, Davis
Adjournment of the 2013 special session.
 09/04/2013 House—Introduced—HJ 9
 09/04/2013 House—Adopted without roll call—HJ 9
 09/04/2013 Senate—Received and Introduced—SJ 19
 09/04/2013 Senate—Adopted without roll call—SJ 19
 09/06/2013 House—Enrolled and presented to Secretary of State on Friday, September 06, 2013—HJ 10

TITLE AND HISTORY OF HOUSE RESOLUTIONS

- H 6001** Resolution by Representatives Merrick, Davis
Organization of the House, special session 2013.
 09/03/2013 House—Introduced—HJ 3
 09/03/2013 House—Adopted without roll call—HJ 3
 09/06/2013 House—Enrolled on Thursday, September 05, 2013—HJ 10
- H 6002** Resolution by Representatives Merrick, Davis
Assignment of seats in House of Representatives, special session 2013.
 09/03/2013 House—Introduced—HJ 3
 09/03/2013 House—Adopted without roll call—HJ 3
 09/06/2013 House—Enrolled on Thursday, September 05, 2013—HJ 10

SPECIAL SESSION
FINAL
HOUSE CALENDAR
No. 3

September 3-4, 2013

NUMERICAL SCHEDULE OF HOUSE BILLS
2013 SESSION

2001 Died, Comm

2002 Signed, Ef Dt. 9/6/13

2003 Died, Comm

NUMERICAL SCHEDULE OF HOUSE CONCURRENT
RESOLUTIONS 2013 SESSION

5001 Enrolled

5002 Enrolled

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS
2013 SESSION

6001 Adopted, Enr

6002 Adopted, Enr

LEGEND

Adptd
Comm
Ef Dt
Enr

Adopted
Committee
Effective Date
Enrolled

SUMMARY OF ACTIONS ON HOUSE BILLS, RESOLUTIONS AND
CONCURRENT RESOLUTIONS

HOUSE BILLS

House bills introduced in the 2013 special session.....	3
House bills passed both houses and presented to Governor.	1
House bills signed by Governor.....	1
House bills becoming law without Governor's signature. 0	
House bills with line item vetoes.....	0
House bills vetoed by Governor	0
House bills killed in House.....	0
House bills killed in Senate.....	0
House bills that died in House	2
House bills that died in Senate	0
House bills that died in conference committees.....	0
Subtotal.....	2
TOTAL.....	3

HOUSE CONCURRENT RESOLUTIONS

House concurrent resolutions introduced in 2013 special session.....	2
House concurrent resolutions adopted by both houses.....	2
House concurrent resolutions killed in House.....	0
House concurrent resolutions killed in Senate.....	0
House concurrent resolutions that died in House.....	0
House concurrent resolutions that died in Senate	0
TOTAL.....	2

HOUSE RESOLUTIONS

House resolutions introduced in 2013 special session.....	2
House resolutions adopted.....	2
House resolutions killed.....	0
House resolutions that died in committee.....	0
House resolutions that died on Calendar.....	0
TOTAL.....	2

COMMUNICATIONS FROM STATE OFFICERS

From the office of Governor Sam Brownback:

Proclamation calling the Legislature into Special Session to Protect the Safety of the Citizens of Kansas., p. 1.

Message regarding the Special Session for Repairing Kansas' "Hard 50" Sentence, p. 4.

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This index includes all legislation sponsored by House Members, House committees, Joint Committees, Select Committees and Special Committees.

Ballard, Barbara

HB 2003 Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.

Carlin, Sydney

HB 2003 Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.

Davis, Paul

HCR 5001 Committee to inform governor that legislature is organized, special session 2013.

HCR 5002 Adjournment of the 2013 special session.

HR 6001 Organization of the House, special session 2013.

HR 6002 Assignment of seats in House of Representatives, special session 2013.

Grant, Bob

HB 2003 Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.

Henry, Jerry

HB 2003 Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.

Lane, Harold

HB 2003 Making null and void a KDADS proviso for a lapse of \$4,000,000 in the mental health and retardation services aid and assistance account of the state general fund for fiscal years 2014 and 2015.

Merrick, Ray

HCR 5001 Committee to inform governor that legislature is organized, special session 2013.

HCR 5002 Adjournment of the 2013 special session.

HR 6001 Organization of the House, special session 2013.

HR 6002 Assignment of seats in House of Representatives, special session 2013.

Ward, Jim

HB 2001 Elections; voter registration; proof of citizenship; sworn affidavit alternative.

State Legislature, House Committees (Various)

Judiciary

HB 2002 Sentencing of certain persons to mandatory minimum term of imprisonment of 40 or 50 years ("hard 40" or "hard 50").

State Legislature, Joint Committees

State Legislature, Special Committees

SUBJECT INDEX



This index includes all legislation sponsored by House and Senate Members, House and Senate Committees, Joint Committees and Special Committees.

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Crimes, Criminal Procedure and Punishment	20	Resolutions	20
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For page numbers see "Title and History of Bills" in House and Senate Journal Books
(Bill numbers printed in **bold** type are enacted bills.)

Appropriations

H 2003 Aging, Kansas department for aging and disability services

HR 6001 House of Representatives, Organization
 HR 6002 House of Representatives, Seat assignments
 SR 1701 Senate, Organization
 HCR 5001 Sessions, Organization, governor informed

Crimes, Criminal Procedure and Punishment

H 2002 Murder, Mandatory minimum of 40 or 50 years

H 2002 Sentencing, Mandatory minimum of 40 or 50 years

Resolutions

SR 1703 Commemorations, March on Washington, 50th anniversary of

SR 1702 Congratulations and commendations, 2013 Buick Achievers Scholarship recipients

HCR 5002 Legislature, Adjournment, 2013 special session

HCR 5001 Legislature, Organization, Governor informed

HR 6001 Legislature, Organization, House of Representatives

SR 1701 Legislature, Organization, Senate

HR 6002 Legislature, Seat assignments, House of Representatives

Elections

H 2001 Voters, Proof of citizenship, Sworn affidavit alternative

S 1 Voters, Proof of citizenship, Sworn affidavit alternative

Legislature

HCR 5002 Adjournment, 2013 special session