

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 9, 2012, 11:00 a.m.

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

The roll was called with 123 members present.

Rep. Shultz was excused on legislative business.

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

Prayer by guest chaplain, the Reverend Billy Simar, Pratt Assembly of God, and guest of Rep. Hoffman.

In the authority of Jesus Christ, as a man who has been transformed by His merciful and mighty power, I thank you for the opportunity to pray for these men and women who are willing to serve our great state.

I thank you for their personal sacrifice and their willingness to leave their homes to come and serve us, the Kansas people, by giving of their time and talents. I know you hear my cry today for help on behalf of each of them and our state.

Lord, I cry out with the Psalmist today:

Whom have I in heaven but you? And earth has nothing I desire besides you. Psalms 73: 25 (NIV)

God you are the only one that can impact man's heart and make a difference in our lives, regardless of the state of our economy or the ability of local government to meet needs. You and only you can change man. I know that change will not come until we desire nothing but you!! Oh God, help us desire nothing but you! Burn that in our hearts today!! Nothing but you!

Psalmist Asaph further declared:

My flesh and my heart may fail, but God is the strength of my heart and my portion forever. Psalms 73:26

Again, I pray that you would move in our midst and stir our hearts to trust you and you alone. Man's wisdom will not change the destiny of our state or country. Man's labor will not change the destiny of our state our country. But God, if you would become the strength of our heart and our portion forever, then and only then can we lead a state or nation.

Those who are far from you will perish; you destroy all who are unfaithful to you. (Psalm 73:27) ... Asaph declared in this Psalm. I pray oh sovereign God, that these men and women with the power to make changes in our great state would understand that God cannot lie. If we work tirelessly to legislate our laws to govern our people to live better; but neglect their sole, we have failed them.

And finally my precious Lord and Savior, as Asaph so eloquently stated in Psalm 73, I plead for these men and this state. Oh God, may this ring true in each of our lives and may this be the words spoken over each of us when we breath our last:

But as for me, it is good to be near God. I have made the Sovereign LORD my refuge; I will tell of all your deeds. Psalm 73:28

This is my prayer today for this session, these men, and this state!

Once again thank you for hearing us, Amen

The Pledge of Allegiance was led by Rep. Montgomery.

Kansas Trivia Question – After moving to Leavenworth in 1865, what woman helped edit her brother's newspaper and gave speeches on the topic of voting rights for Blacks and women?

Answer: Susan B. Anthony

PERSONAL PRIVILEGE

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

The Kansas African American Affairs Commission is hosting the Annual African American Greek Day at the Capitol throughout the day. The Commission has planned numerous activities intended to enhance the civic leadership skills of the fraternities and sororities to become better informed, more involved, and successfully collaborate with the State of Kansas. African American fraternities and sororities serve and are recognized as grassroots leaders in their local community. They become members of their organization of choice during their undergraduate years and they continue public service after college thru involvement in graduate chapters in their communities throughout the State of Kansas. The programs and projects African American fraternities and sororities implement are often driven by national agendas that closely mirror equity issues, included in a document on the "State of African Americans in Kansas" developed by the Kansas African American Affairs Commission. On behalf of the African American Legislators we want to thank you for coming to our Capitol for many years during Black History Month. I would like to ask our Greek organizations in the gallery to stand and be recognized by members of the House of Representatives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2697, AN ACT concerning eligibility requirements for medicaid; allowing a collateral assignment of the proceeds of life insurance policies, by Committee on Aging and Long-term Care.

HB 2698, AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2699, AN ACT concerning crimes and punishments; relating to furnishing alcoholic liquor or cereal malt beverages to a minor; amending K.S.A. 2011 Supp. 21-5607 and repealing the existing section, by Committee on Judiciary.

HB 2700, AN ACT enacting the Kansas armored car services licensing act, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HR 6010**.

Appropriations: **HB 2686**.

Commerce and Economic Development: **HB 2666**.

Education: **HB 2664, HB 2678**.

Energy and Utilities: **HB 2663, HB 2685**.

Government Efficiency: **HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2682, HB 2683, HB 2684**.

Health and Human Services: **HB 2665**.

Insurance: **HB 2679, HB 2680, HB 2681**.

Legislative Budget: **HB 2671**.

Local Government: **HB 2662, HB 2677**.

Taxation: **HB 2667**.

Transportation: **SB 300**.

Transportation and Public Safety Budget: **HB 2674**.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills, appearing on the Calendar as "To Be Referred," were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2695**.

Appropriations: **HB 2691**.

Education Budget: **HB 2693**.

Federal and State Affairs: **HB 2689, HB 2690, HB 2694**.

Government Efficiency: **HB 2687**.

Pensions and Benefits: **HB 2688**.

Social Services Budget: **HB 2696**.

Taxation: **HB 2692**.

MESSAGE FROM THE SENATE

Announcing passage of **SB 257, SB 260, SB 261, SB 263, SB 344.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were introduced and read by title:

SB 257, SB 260, SB 261, SB 263, SB 344.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 191.**

Speaker O'Neal thereupon appointed Reps. Schwartz, Schroeder and Carlin as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2472** appearing on the consent calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2420, AN ACT concerning cities; relating to bonded debt limits; amending and repealing the existing section; amending K.S.A. 2011 Supp. 10-308 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 25; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, Meier, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Pauls, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Schwab, Schwartz, Seiwert, Siegfroid, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brown, Brunk, Crum, DeGraaf, Donohoe, Grosserode, Hildabrand, Howell, Kelley, Kiegerl, Kinzer, Landwehr, McCray-Miller, McLeland, Meigs, Montgomery, O'Hara, Patton, Peck, Rhoades, Scapa, Schroeder, Smith, Ward.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

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

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

HB 2459, AN ACT concerning driver's licenses; relating to motorcycles; amending K.S.A. 2011 Supp. 8-240 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

HB 2606, AN ACT concerning state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762,

4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Feuerborn, S. Gatewood, Goico, Grant, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Schwab, Spalding, Tietze, Williams.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Worley, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2441**, **HB 2507** be passed.

Committee report to **HB 2491** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2055** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Utilities** recommends **HB 2624** be passed.

Committee on **Energy and Utilities** recommends **HB 2588** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **HB 2353** be amended on

page 1, in line 8, by striking "municipality facilities or premises" and inserting "municipal buildings"; in line 9, by striking "facilities or premises have" and inserting "building has"; in line 10, by striking "or on such premises or facilities" and inserting "such building"; in line 14, by striking the second "work place" and inserting "building"; in line 17, by striking "in or on the facilities or premises" and inserting "into such building"; in line 20, by striking "to a state or municipal facility or premises" and inserting "into such building"; in line 29, after "(e)" by inserting "Subject to provisions of subsection (f),"; in line 32, after "(f)" by inserting "Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security at the public access entrances in order to prohibit the carrying of a concealed handgun in such public areas.

(g) A state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may prohibit patients seeking treatment from carrying a concealed handgun.

(h) A state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may prohibit residents from carrying a concealed handgun.

(i) ";

Also on page 1, in line 35, by striking "facility or on such premises" and inserting "state or municipal building";

And by redesignating subsections accordingly;

On page 2, in line 2, by striking "premises or facilities" and inserting "building"; in line 4, by striking "'Municipality' means as the term" and inserting "The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality";"; in line 11, after "(5)" by inserting "'State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(6) ";

Also on page 2, also in line 11, by striking "section 186 of chapter"; in line 12, by striking "136 of the 2010 Session Laws of Kansas"; and inserting "K.S.A. 2011 Supp. 21-6301"; in line 15, by striking "2010" and inserting "2011";

On page 4, in line 4, by striking "2010" and inserting "2011"; by striking all in lines 23 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 13, and inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm on the grounds in any of the following places:

(1) Within any building located within the capitol complex;

(2) within the governor's residence;

(3) on the grounds of or in any building on the grounds of the governor's residence;

(4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or

(5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

- (b) Violation of this section is a class A misdemeanor.
- (c) This section shall not apply to:
 - (1) A commissioned law enforcement officer;
 - (2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;
 - (3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
 - (4) a member of the military of this state or the United States engaged in the performance of duties; or
 - (5) a person with a license issued pursuant to or recognized under K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto, except in buildings posted in accordance with K.S.A. 2011 Supp. 75-7c10, and amendments thereto, and in the areas specified in subsections (a)(2) and (a)(3).

(d) It is not a violation of this section for the:

- (1) Governor, the governor's immediate family, or specifically authorized guest of the governor to possess a firearm within the governor's residence or on the grounds of or in any building on the grounds of the governor's residence; or

- (2) United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a firearm within any county courthouse and court-related facility, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2011 Supp. 75-7c19, and amendments thereto.

(e) It is not a violation of this section for a person to possess a firearm as authorized under the personal and family protection act unless the building has adequate security measures as defined in subsection (g) to ensure that no weapons are permitted to be carried into such building.

(f) Notwithstanding the provisions of this section, any county may elect by passage of a resolution that the provisions of subsection (d)(2) shall not apply to such county's courthouse or court-related facilities if such:

- (1) Facilities have adequate security measures to ensure that no weapons are permitted to be carried into such facilities;

- (2) facilities have adequate measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options;

- (3) county also has a policy or regulation requiring all law enforcement officers to secure and store such officer's firearm upon entering the courthouse or court-related facility. Such policy or regulation may provide that it does not apply to court security or sheriff's office personnel for such county; and

- (4) facilities have a sign conspicuously posted at each entryway into such facility stating that the provisions of subsection (d)(2) do not apply to such facility.

~~(f)~~ (g) As used in this section:

- (1) "Adequate security measures" means the use of electronic equipment and

personnel at public entrances to detect and restrict the carrying of any weapons into the facility, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes;

(2) "possession" means having joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and right of control; and

(3) "capitol complex" means the same as in K.S.A. 75-4514, and amendments thereto.

~~(g)~~ (h) For the purposes of subsection (a)(1), (a)(4) and (a)(5), "building" and "courthouse" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

Sec. 4. K.S.A. 2011 Supp. 21-6309 and 75-7c10 are hereby repealed.;

Re-number remaining section accordingly;

On page 1, in the title, by striking all of lines 2 and 3 and inserting "K.S.A. 2011 Supp. 21-6309 and 75-7c10 and repealing the existing sections.;" and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2159** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2159," as follows:

"Substitute for HOUSE BILL NO. 2159

By Committee on Health and Human Services

"AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2011 Supp. 65-2921 and repealing the existing section.;" and the substitute bill be passed.

(**Sub HB 2159** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2121** be amended on page 1, in line 7, before "No" by inserting "(a)"; in line 10, after "cremation." by inserting:

"(b)";

Also on page 1, in line 11, after "jurisdiction" by inserting "in Kansas"; also in line 11, after "occurs." by inserting "Subject to the provisions of K.S.A. 22a-232, and amendments thereto,"; also in line 11, after "coroner" by inserting "in Kansas"; in line 12, after "jurisdiction" appears for the second time, by inserting "in or out of Kansas"; in line 14, after the period, by inserting:

"(c) Except as provided in subsection (d), if the death occurred outside the state of Kansas and the cremation of the body is intended to take place in a Kansas jurisdiction, the coroner of such Kansas jurisdiction may authorize cremation, but if such coroner knows the location in which the death occurred, such coroner prior to cremation shall make a good faith attempt to receive written authorization for such cremation from the coroner in the jurisdiction in which the death occurred. If such coroner attempts to contact the coroner in the jurisdiction in which the death occurred but does not within 48 hours after the request receive either written authorization to cremate or some information indicating an investigation is pending or some similar denial to cremate, such coroner in Kansas is presumed to have made a good faith attempt, and the coroner in the jurisdiction where the body is now located is authorized to issue the permit to cremate. A statement about the coroner's attempt to contact shall be maintained by the coroner as part of the records about that body.

(d) Notwithstanding the provisions of subsection (c), if the coroner knows that the

location of the cause of death is in Kansas but the death occurred outside of Kansas, the coroner shall seek the authorization of or transfer of jurisdiction from the Kansas coroner where the cause of death occurred before authorizing cremation of the body, and the Kansas coroner shall not be required to seek authorization from the out-of-state coroner where the death occurred.

(e)";

Also on page 1, in line 15, after "telefacsimile" by inserting "or electronically"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2470** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2470," as follows:

"Substitute for HOUSE BILL NO. 2470

By Committee on Judiciary

"AN ACT concerning scrap metal dealers; relating to unlawful acts; fees; amending K.S.A. 2011 Supp. 50-6,111 and 50-6,112a and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2470** was thereupon introduced and read by title.)

Committee on **Local Government** recommends **HB 2548** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Local Government** recommends **HB 2546** be amended on page 1, in line 25, by striking "sale" and inserting "transfer"; and the bill be passed as amended.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2701, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; elimination of service credit purchases; repealing K.S.A. 74-4919a, 74-4919g, 74-4919i, 74-4919k, 74-4919n, 74-4919p, 74-4919q, 74-4919r and 74-4919s and K.S.A. 2011 Supp. 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o, 74-4919u and 74-4919v, by Committee on Pensions and Benefits.

HB 2702, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; elimination of cap on increase in employer contributions; amending K.S.A. 2011 Supp. 74-4914d and 74-4920 and repealing the existing sections; also repealing K.S.A. 2010 Supp. 74-4914d, as amended by section 1 of chapter 98 of the 2011 Session Laws of Kansas and 74-4920, as amended by section 4 of chapter 98 of the 2011 Session Laws of Kansas, by Committee on Pensions and Benefits.

HB 2703, AN ACT repealing K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603; relating to establishment and operation of a motor pool for state agencies, by Committee on Government Efficiency.

HB 2704, AN ACT repealing K.S.A. 75-5262, 75-5263, 75-5264 and 75-5265 ; concerning the Topeka correctional facility, by Committee on Government Efficiency.

HB 2705, AN ACT concerning the joint committee on state building construction;

relating to monthly reports of progress; amending K.S.A. 2011 Supp. 75-1264 and repealing the existing section, by Committee on Government Efficiency.

HB 2706, AN ACT concerning appraisal of real property prior to state purchase or disposition; amending K.S.A. 75-3043a and repealing the existing section, by Committee on Government Efficiency.

HB 2707, AN ACT concerning crimes, criminal procedure and punishment; relating to release of incompetent defendants, by Committee on Corrections and Juvenile Justice.

HB 2708, AN ACT concerning renewable energy resources; amending K.S.A. 2011 Supp. 66-1257 and repealing the existing section, by Committee on Appropriations.

HB 2709, AN ACT concerning wildlife; relating to big game hunting violations; civil penalties; amending K.S.A. 2011 Supp. 32-1032 and repealing the existing section, by Committee on Appropriations.

HB 2710, AN ACT concerning property taxation; relating to time for payment of taxes; persons 65 years of age and older; amending K.S.A. 2011 Supp. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Appropriations.

HB 2711, AN ACT concerning oil and gas; counties; relating to licensure of operators and contractors; well plugging assurance; amending K.S.A. 55-166 and K.S.A. 2011 Supp. 19-101a, 55-151 and 55-155 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2712, AN ACT establishing the Kansas business workers and community partnership act, by Committee on Federal and State Affairs.

HB 2713, AN ACT concerning schools; relating to the virtual school act; pertaining to the precollege curriculum prescribed by the board of regents; amending K.S.A. 2011 Supp. 72-3711 and repealing the existing section, by Committee on Education.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2446** from Committee on Appropriations and rereferral to Committee on Energy and Utilities.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Friday, February 10, 2012.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

