

# Journal of the House

## FORTY-FIRST DAY

---

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

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

The roll was called with 118 members present.

Rep. LeDoux was excused on verified illness.

Reps. Colloton, Davis and Pauls were excused on legislative business.

Reps. Gordon, Hayzlett and O'Hara were excused on excused absence by the Speaker.

Rep. Grange was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Brandon Farrar, Annunciation Catholic Church, Baldwin City, and guest of Rep. Gregory:

That we exist—that anything with a beginning exists—demands that You do, almighty and ever-living God, for by itself that which has a beginning and an end, cannot explain its genesis and existence. Without You, eternal and infinite, finite creation is a contradiction.

You are life itself, from Whom we borrow ours without affecting Yours. Human life, then, is Your gift. We are but stewards, not owners, not proprietors, not authors—not even of our own life.

You are our Author, Who has generated our life and traced within our nature the content, the truth of the human person—the foundation of any just law and legitimate right. Rights, therefore, are not subject to the choice of individuals or the consent of any majority, for You, O God, with purpose made us. How can we not at anytime bear the character of Your substance and the transcription of Your grammar? We are Your creation, Your artwork, Your religious composition.

By nature we are religious beings, bearing Your image, bearing Your likeness, good and gracious God. Religion, then, is constitutive of our humanity, to which world cultures bear witness throughout humankind's history. Moreover, merciful God, our own 20<sup>th</sup> century atrocities manifest the limitations, errors and devastation into which reason unaided by faith falls.

By Your providence, omniscient Lord, our beloved Country is

grounded in the Christian Tradition, which professes Your Son human and Divine, Lord and Christ, dead and Raised. At its best, our Tradition seeks not that which is specific to the State, but eagerly desires to contribute to the good of the human family, uniquely qualified, as She is, to do so by the singular and perfect manner in which her God and Founder revealed what it means to be human.

Jesus revealed You, Lord, not only as transcendent, otherly and all-holy, but also did He reveal You as Father, and teach us to petition You for our needs, so that we might not only pray *Thy will be done on earth as it is in heaven*, but enact that for which we plead.

Father, enlighten with Your Spirit these Your civil servants, Your creation, Your sons and daughters. Illumine their intellects and strengthen their wills to religiously pursue the Truth, without which humankind cannot be free and the common good cannot be had. Discipline their hearts, righteous Judge, to be in accord with the words their lips utter in this hall, in their homes and houses of worship. Protect them from falling into the awkward duplicity of excluding religion from the public sphere, while asking You, O God, to bless America. Confound any satisfaction with the mere protection of rights, and instill within them the desire to create legislation consonant with Your natural law and capable of inculcating virtue. Safeguard the liberty and justice pledged to all from the dictatorship of libertinism, and a compromised mandate of the sovereign majority. Make Kansas a light for our Nation, and our Nation a light for the world. In Jesus' Name we pray. Amen.

The Pledge of Allegiance was led by Rep. Prescott.

Kansas Trivia Question – When Mr. Keeney and Mr. Warren founded a town, what did they call it?

Answer: WaKeeney

### **PERSONAL PRIVILEGE**

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

I am now a very proud grandfather, and I am very happy to introduce my two month old grandson. Please welcome to the Kansas House of Representatives, Ethan Michael Egbert.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2782**, AN ACT concerning elections; relating to persons running for public office in Kansas, by Committee on Federal and State Affairs.

2010

MARCH 9, 2012

### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to committees as indicated:

Health and Human Services: **HB 2781**.

Having appeared on the Calendar under the heading, Motions and Resolutions Offered on a Previous Day, Speaker O'Neal announced the referral of **HR 6016** to Committee on Federal and State Affairs.

### **CHANGE OF REFERENCE**

Speaker O'Neal announced the withdrawal of **SB 302** from Committee on Agriculture and Natural Resources and referral to Committee on Agriculture and Natural Resources Budget.

### **MESSAGE FROM THE SENATE**

Announcing passage of **Sub SB 71, SB 250, SB 353, SB 413, SB 438**.

Announcing passage of **HB 2484, HB 2535, HB 2569, HB 2624**.

### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**Sub SB 71; SB 250, SB 353, SB 413, SB 438**.

### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6017**—

By Representative Moxley, Bowers, Brrokens, Johnson and Swanson

A RESOLUTION congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress for their inspirational and visionary creation of a national Presidential memorial to honor General and President Dwight D. "Ike" Eisenhower in Washington, D.C.; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in establishing a new patriotic and historic landmark in the heart of the U.S. capital, the national seat of democracy and freedom; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in enabling the American public to participate in the celebration of this heroic leader and public servant, while inspiring millions throughout the world by memorializing his inspired leadership as General in defense of the United States and the liberation of Europe in World War II; and his enduring, visionary achievements as President in education, aviation, space and aeronautics,

transportation and diplomacy for peace; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in the innovation of an original, unique metal tapestry depicting the beauty of the Midwestern landscape of Eisenhower's home in Kansas, as the context for recognizing his heroic achievements as General and President; and

WHEREAS, The people in the state of Kansas are very proud that the United States Congress has chosen Kansas' favorite son to be nationally memorialized and internationally recognized in perpetuity in the nation's capital. Although Ike's greatest gift to the state of Kansas was serving America so well, he knew that his family and Abilene were the foundation of his identity. Returning to Abilene after Germany's surrender in World War II, Ike stated, "The proudest thing I can claim is that I am from Abilene." He loved Kansas and made it the site of his presidential library, as well as the burial ground for his wife Mamie, himself and his first son "Icky": Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend the United States Congress for establishing the Dwight D. Eisenhower Memorial. This memorial celebration of General and President Eisenhower's impressive accomplishments will forever educate and inspire citizens from across America and throughout the world. It will also give Kansans, and others from the Midwest, a very special place just steps across the nation's Capitol; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Moxley.

### CONSENT CALENDAR

No objection was made to **SB 374, SB 384, SB 406** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2674; SB 264, SB 266** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2674**, AN ACT concerning the Kansas highway patrol; relating to the administration of the highway patrol; amending K.S.A. 2011 Supp. 74-2105 and repealing the existing section; also repealing K.S.A. 74-2112, 74-2116, 74-2119, 74-2125 and 74-2133, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman,

2012

MARCH 9, 2012

Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

**SB 264**, AN ACT concerning insurance; relating to life insurance companies; designating trust companies as nominee; amending K.S.A. 2011 Supp. 40-2b20 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

**SB 266**, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurers; amending K.S.A. 2011 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

**HB 2697**, AN ACT concerning eligibility requirements for medicaid; allowing a collateral assignment of the proceeds of life insurance policies, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed, as amended.

**HB 2758**, AN ACT concerning the board of accountancy; relating to the special litigation reserve fund; authorizing transfers from the board of accountancy fee fund; prescribing guidelines, limitations and duties with respect thereto, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

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

2014

MARCH 9, 2012

Nays: Dillmore, S. Gatewood.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed, as amended.

**SB 249**, AN ACT concerning the division of post audit; relating to employees; criminal history record check; amending K.S.A. 46-1103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 3; Present but not voting: 0; Absent or not voting: 7.

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

Nays: Lane, Schroeder, Shultz.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

**SB 270**, AN ACT concerning the department of revenue; relating to confidentiality of licensure information; exceptions; amending K.S.A. 2011 Supp. 75-5133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 10; Present but not voting: 0; Absent or not voting: 7.

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

Nays: Brown, Collins, DeGraaf, Fawcett, Hildabrand, Huebert, Kelley, Kiegerl, Kinzer, Scapa.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.  
The bill passed.

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

### COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2353** be adopted; also, on motion of Rep. Knox be amended on page 1, in line 29, by striking "facilities or premises" and inserting "building";

On page 2, following line 8, by inserting:

"(i) A state agency or municipality which provides adequate security in a public building and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building as authorized by the personal and family protection act, such state agency or municipality shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(j) A state agency or municipality which does not provide adequate security in a public building and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.";

And by relettering the remaining subsections accordingly;

On page 3, in line 34, after "(b)" by inserting "Subject to provisions of New Section 1, and amendments thereto,";

On page 7, in line 38, by striking "unless"; by striking all in line 39; in line 40, by striking "to ensure that no weapons are permitted to be carried into such building";

Also, roll call was demanded on further motion of Rep. Knox to amend **HB 2353** on page 2, following line 8, by inserting:

"(i) The governing body or the chief administrative officer, if no governing body exists, of a post secondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt the institution from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(j) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the person and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns.";

And by relettering the remaining subsections accordingly.

On roll call, the vote was: Yeas 93; Nays 23; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Denning,



Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Brunk, Burgess, DeGraaf, Donohoe, Garber, Goodman, Howell, Kelley, Kinzer, Knox, McLeland, O'Brien, Patton, Peck, Rhoades, Rubin, Scapa, Siegfried, Smith, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Grange, Hayzlett, LeDoux, O'Hara, Pauls, Peterson.

The motion of Rep. Knox prevailed.

Also, on further motion of Rep. Knox, **HB 2353** be amended on page 2, in line 3, by striking all after "(g)"; by striking all in line 4; in line 5, by striking all before the period and inserting "The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general."

"(h) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns";

And by relettering the subsections accordingly;

Also, on further motion of Rep. Knox, **HB 2353** be amended on page 2, in line 6, by striking all after "(h)"; by striking all in line 7; in line 8, by striking all before the period and inserting "The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general. Any such adult care home which exempts itself under this subsection shall not be afforded the liability protection provided in subsection (i).

(i) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the person and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns";

And by relettering the subsections accordingly;

Also, on motion of Rep. Mah, to refer **HB 2353** to Committee on Federal and State Affairs, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Mah to amend **HB 2353** on page 8,

following line 28, by inserting:

"New Sec. 4. The legislative division of post audit shall conduct a study of the monetary impact on state agencies and municipalities in providing adequate security in public buildings. The division shall report its findings to the 2013 legislature on or before January 15, 2013. Such findings shall include an estimated dollar amount and a recommendation regarding the mechanics of a state grant program for municipalities providing adequate security measures under section 1, and amendments thereto.";

And by renumbering remaining sections according;

Also on page 8, in line 31, by striking "from" and inserting "on"; also in line 31, after "after" by inserting "July 1, 2013 and"; in line 32, after "statute book" by inserting ", and upon the appropriation by the 2013 Kansas legislature of the amount specified in section 4 of this act";

On roll call, the vote was: Yeas 44; Nays 71; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Bethell, Bollier, Burroughs, Carlin, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Phelps, Pottorff, Roth, Ruiz, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Grange, Hayzlett, Kelley, LeDoux, O'Hara, Pauls, Peterson.

The motion of Rep. Mah did not prevail.

Also, on motion of Rep. Smith, **HB 2353** be amended on page 3, following line 33, by inserting:

"(b) (1) Any private entity which provides adequate security in a private building or facility and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building or facility as authorized by the person and family protection act, such private entity shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(2) Any private entity which does not provide adequate security in a private building or facility and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.";

And by relettering subsections accordingly; and the bill be passed as amended.

Committee report to **HB 2609** be adopted; also, on motion of Rep. Peck be amended on page 3, following line 13, by inserting:

"Sec. 4. K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960, and amendments thereto, and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d), the county treasurer shall divide the amount paid by the state treasurer to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, which comply with the requirements of this act, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

b) ~~No political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960, and amendments thereto, and this section unless and until such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy that property tax revenues from the preceding year have been reduced by an amount equal to the amount received by the political subdivision from the local *ad valorem* tax reduction fund.~~

c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), the county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of the amounts so credited. This section and K.S.A. 79-2960, and amendments thereto, shall not apply to school districts.

d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959, and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which received amounts under this section from the payment made from the local *ad valorem* tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959, and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local *ad*

*valorem* tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

And by renumbering sections accordingly;

Also on page 3, in line 14, after "K.S.A." by inserting "79-2961 and K.S.A.";

On page 1, in the title, in line 2, following "fund" by inserting ", distribution to political subdivisions"; in line 4, after "K.S.A." by inserting "79-2961 and K.S.A.";

Also, roll call was demanded on motion of Rep. Schroeder to amend **HB 2609** on page 2, by striking all in lines 6 through 43;

On page 3, by striking all in lines 1 through 13;

And by renumbering sections accordingly;

Also on page 3, in line 14, by striking "79-2925b and"; also in line 14, by striking "are" and inserting "is";

On page 1, in the title, in line 2, by striking all after the semicolon; by striking all in line 3; in line 4, by striking "requirements"; also in line 4, by striking "79-2925b and"; in line 5, by striking "sections" and inserting "section";

On roll call, the vote was: Yeas 55; Nays 53; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alford, Ballard, Bollier, Bowers, Brookens, Burgess, Burroughs, Carlin, Cassidy, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grant, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Mesa, Moxley, Phelps, Phillips, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Billinger, Boman, Brown, Brunk, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kiegerl, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Neal, Osterman, Otto, Peck, Pottorff, Powell, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Bruchman, Colloton, Davis, Donohoe, Gordon, Grange, Hayzlett, Kinzer, LeDoux, O'Hara, Patton, Pauls, Peterson, Shultz, Weber.

The motion of Rep. Schroeder prevailed.

Also, on motion of Rep. Brookens to amend **HB 2609**, Rep. Dillmore requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Ballard to amend **HB 2609**, the motion was withdrawn.

Also, on further motion of Rep. Ballard, **HB 2609** be amended on page 1, following line 7, by inserting "Section 1. K.S.A. 2011 Supp. 79-2004 is hereby amended to read as follows: 79-2004. (a) Except as provided by K.S.A. 79-4521, and amendments thereto, any person charged with real property taxes on the tax books in the hands of the county treasurer may pay, at such person's option, the full amount thereof on or before December 20 of each year, or 1/2 thereof on or before December 20 and the remaining 1/2 on or before May 10 next ensuing; or for any person who is 65 years of age or older on or before December of any year and who is charged with real property taxes on such

person's principal place of residence may pay, at such person's option, the full amount thereon on or before December 20 of each year, or  $\frac{1}{2}$  thereof on or before May 10 next ensuing, or  $\frac{1}{4}$  thereof on or before December 20,  $\frac{1}{4}$  on or before February 10 next ensuing,  $\frac{1}{4}$  on or before April 10 next ensuing and the remaining  $\frac{1}{4}$  on or before May 10 next ensuing. If the full amount of the real property taxes listed upon any tax statement is \$10 or less the entire amount of such tax shall be due and payable on or before December 20.

In case the first half of the real property taxes remains unpaid after December 20, the first half of the tax shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* and may be paid at any time prior to May 10 following by paying  $\frac{1}{2}$  of the tax together with interest at such rate from December 20 to date of payment. In case any of the  $\frac{1}{4}$  payments of real property taxes remain unpaid by a person 65 years of age or older as described in subsection (a) after December 20, February 10 or April 10, such amount of unpaid taxes shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* and may be paid at any time prior to May 10 following by paying such amount of unpaid taxes together with interest at such rate from the date of the missed payment to the date of payment. Subject to the provisions of subsection (d), all real property taxes of the preceding year and accrued interest thereon which remain due and unpaid on May 11 shall accrue interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from May 10 until paid, or until the real property is sold for taxes by foreclosure as provided by law. Except as provided by subsection (c), all interest herein provided shall be credited to the county general fund, and whenever any such interest is paid the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

(b) Whenever any date prescribed in subsection (a) for the payment of real property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next-following regular business day of the office of the county treasurer.

(c) The board of county commissioners may enter into an agreement with the governing body of any city located in the county for the distribution of part or all of the interest paid on special assessments levied by the city which remain unpaid.

(d) All real property taxes of any year past due and unpaid on the effective date of this section and interest accrued thereon pursuant to this section prior to its amendment by this act shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from the effective date of this section until paid or until the real property is sold for taxes by foreclosure as provided by law.

Sec. 2. K.S.A. 2011 Supp. 79-2004a is hereby amended to read as follows: 79-2004a. (a) Any taxpayer charged with personal property taxes on the tax books in the hands of the county treasurer may at such taxpayer's option pay the full amount thereof on or before December 20 of each year, or  $\frac{1}{2}$  thereof on or before December 20 and the remaining  $\frac{1}{2}$  thereof on or before May 10 next ensuing; any taxpayer who is 65 years of age or older on or before December of any year and who is charged with personal property taxes on personal property which is such taxpayer's principal place of residence may pay, at the taxpayer's option, the full amount thereof on or before December 20, or  $\frac{1}{2}$  thereof on or before December 20 and the remaining  $\frac{1}{2}$  thereof on

or before May 10 next ensuing, or  $\frac{1}{4}$  thereof on or before December 20,  $\frac{1}{4}$  thereof on or before February 10 next ensuing,  $\frac{1}{4}$  thereof on or before April 10 next ensuing and the remaining  $\frac{1}{4}$  thereof on or before May 10 next ensuing; except that: (1) all unpaid personal property taxes of the preceding year must first be paid; and (2) if the full amount of the personal property taxes listed upon any tax statement shall be \$10 or less the entire amount of such taxes shall be due and payable on or before December 20.

(2) In the event anyone charged with personal property taxes shall fail to pay the first half amount due thereof on or before December 20 date of payment, the full amount thereof shall become immediately due and payable.

(3) In case the first half of the taxes remains unpaid after December 20, the entire and full amount of personal property taxes charged shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from December 20 to date of payment. In case any of the  $\frac{1}{4}$  payments of personal property taxes remain unpaid by a person 65 years of age or older as described in this subsection after December 20, February 10 or April 10, such amount of unpaid taxes shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, per annum and may be paid at any time prior to May 10 following by paying such amount of unpaid taxes together with interest at such rate from the date of the missed payment to the date of payment. Subject to the provisions of subsection (c) all personal property taxes of the preceding year and interest thereon which shall remain due and unpaid on May 11 shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from May 10 until paid. All interest herein provided for shall be credited to the county general fund and retained by the county, and whenever any such interest is paid, the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

(b) Whenever any date prescribed in subsection (a) for the payment of personal property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next-following regular business day of the office of the county treasurer.

(c) All personal property taxes of any year past due and unpaid on the effective date of this section and interest accrued thereon pursuant to this section prior to its amendment by this act shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from the effective date of this section until paid.";

And by renumbering the remaining sections accordingly;

On page 3, in line 14, after "Supp." by inserting "79-2004, 79-2004a,";

On page 1, in the title, in line 4, following "requirements;" by inserting "time for payment of taxes, persons 65 years of age and older;"; also in line 4, following "Supp" by inserting "79-2004, 79-2004a,";

Having voted on the prevailing side, Rep. Prescott offered a motion to reconsider the adoption of the amendment by Rep. Schroeder (see page 2018, this Journal). Roll call was demanded.

On roll call, the vote was: Yeas 56; Nays 54; Present but not voting: 0; Absent or not voting: 15.

Yeas: Arpke, Boman, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell,

Johnson, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Powell, Prescott, Rhoades, Rubin, Scapa, Schwab, Schwartz, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Nays: Alford, Aurand, Ballard, Billinger, Bollier, Bowers, Brookens, Burroughs, Carlin, Cassidy, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Ryckman, Schroeder, Seiwert, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Colloton, Davis, Donohoe, Gordon, Grange, Grant, Hayzlett, Huebert, Landwehr, LeDoux, O'Hara, Pauls, Peterson, Weber.

The motion of Rep. Prescott prevailed.

The question reverted back to the amendment by Rep. Schroeder (see page 2018 of this Journal). Roll call was demanded.

On roll call, the vote was: Yeas 54; Nays 56; Present but not voting: 0; Absent or not voting: 15.

Yeas: Aurand, Ballard, Billinger, Bollier, Bowers, Brookens, Burgess, Burroughs, Carlin, Cassidy, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Mesa, Moxley, Phelps, Phillips, Proehl, Roth, Ruiz, Ryckman, Schroeder, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Boman, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Pottorff, Powell, Prescott, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Bethell, Colloton, Davis, Donohoe, Gordon, Grange, Grant, Hayzlett, Huebert, Landwehr, LeDoux, O'Hara, Pauls, Peterson, Weber.

The motion of Rep. Schroeder to amend did not prevail.

Also, on motion of Rep. Brookens to amend **HB 2609**, the motion did not prevail, and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2018** be amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 3, 2011, and further amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 22, 2012, and the bill, as printed as further amended by House Committee, be passed as amended.

Committee on **Education** recommends **SB 258** be amended on page 1, following line 23, by inserting:

"(d) The provisions of this section shall expire on July 1, 2016."; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 263, SB 265** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2570, HB 2607, HB 2610** be passed.

Committee on **Transportation** recommends **HB 2749; SB 298, SB 300, SB 334** be passed.

Committee on **Transportation** recommends **Sub HB 2431** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) Any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate authorized for issuance on and after July 1, 1995, unless there is a guarantee of an initial issuance of at least 500 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2011 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2011 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2011 Supp. 8-1,160, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer \$40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed \$20,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.



(g) (1) Except for educational institution license plates issued under K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2004, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2006; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2006.

(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2004, if:

(A) Less than 500 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.;

And by renumbering the sections accordingly;

On page 3, in line 29, after "institution" by inserting "and the state treasurer";

On page 9, in line 21, after "the" by inserting "designated"; in line 22, after "Kansas" by inserting "and the state treasurer"; in line 33, after the second "the" by inserting "designated";

On page 11, in line 16, after "education" by inserting "and the state treasurer";

On page 13, in line 6, after "center" by inserting "and the state treasurer";

On page 16, in line 40, by striking "Boy Scouts of America" and inserting "designated Kansas Boy Scouts of America council and the state treasurer";

On page 17, in line 8, by striking the second "boy scouts of America" and inserting "designated Boy Scouts of America council";

On page 19, in line 4, after "Supp." by inserting "8-1,141,";

On page 1, in the title, in line 2, after "Supp." by inserting "8-1,141,;" and the bill be passed as amended.

Committee on **Transportation** recommends **SB 120** be amended on page 3, in line 27, after "thereon" by inserting "or, if a manufacturer's statement of origin for the vessel does not exist or cannot be located, then a statement of fact stating the liens and encumbrances on the vessel shall be delivered to the purchaser";

On page 6, in line 32, by striking "2012" and inserting "2013";

On page 7, in line 5, after "(c)" by inserting "The division shall gather all information necessary to comply with 33 C.F.R. § 187.

(d)";

Also on page 7, in line 38, by striking "and" and inserting a comma; also in line 38, after "parks" by inserting "and tourism";

On page 8, in line 5, by striking "and" and inserting a comma; also in line 5, after "parks" by inserting "and tourism";

On page 9, in line 11, after "dealers" by inserting "and manufacturers";

On page 12, in line 25, by striking "2012" and inserting "2013"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

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

**Request No. 73**, by Representative Bowers, congratulating Lou Frohardt on being inducted into the Cloud County Community College Athletic Hall of Fame;

**Request No. 74**, by Representative Bowers, congratulating Greg Babcock on being named Emergency Management's Volunteer of the Year by Lincoln County Emergency Management;

**Request No. 75**, by Representatives Kerschen, Carlin, and Phillips, commending Kansas State University Crops Team in recognition for winning successive years of national championships;

**Request No. 76**, by Representative Rubin, congratulating Lucas Shivers on receiving the 2012 Janet Sims Memorial Teacher of the Year;

**Request No. 77**, by Representative Vickrey, congratulating Mallen Trull on achieving the rank of Eagle Scout;

**Request No. 78**, by Representative D. Gatewood, commending Neutral Lands Cherokee on providing food and truckloads of clothing to families who are less fortunate or have suffered natural disasters;

**Request No. 79**, by Representative Schwartz, commending Frank Benteman for his efforts to recognize soldiers from Frankfort and the surrounding area who lost their lives during World War II;

**Request No. 80**, by Representative Gregory, congratulating Baldwin City High School for being named 2012 State Champions of Real World Design Challenge Team;

**Request No. 81**, by Representative Gregory, congratulating Neosho County Community College for being awarded the Bellwether Finalist Award by the Community College Futures Agency;

**Request No. 82**, by Representative Smith, congratulating Shawnee Mission West High School Marching Band on representing the State of Kansas with honor and professionalism in the New Year's Day Parade in London, England for a record 7<sup>th</sup> time;

**Request No. 83**, by Representative Calloway, commending Hank Cloninger on achieving the rank of Eagle Scout;

**Request No. 84**, by Representative Calloway, commending Jake Cloninger on achieving the rank of Eagle Scout;

**Request No. 85**, by Representative Meier, congratulating Michael Gersema on achieving the rank of Eagle Scout;

**Request No. 86**, by Representative Meier, congratulating Jacob Francis Schatzel on

achieving the rank of Eagle Scout;

**Request No. 87**, by Representative Meier, congratulating Tyler Stephen Fox on achieving the rank of Eagle Scout;

**Request No. 88**, by Representative Meier, congratulating Daniel Singletary on achieving the rank of Eagle Scout;

**Request No. 89**, by Representative Meier, congratulating Rory MacDonald on achieving the rank of Eagle Scout;

**Request No. 90**, by Representative Meier, congratulating Christopher John Gavin on achieving the rank of Eagle Scout;

**Request No. 91**, by Representative Phelps, congratulating Luis Blanco on winning the 56th annual Ellis County spelling bee;

**Request No. 92**, by Representative Phelps, congratulating Dylan Schumacher on winning his fourth straight 3-2-1-A state wrestling title;

**Request No. 93**, by Representative Crum, congratulating Douglass Senior High Girls Cross Country Team for winning the State 3A Championship;

**Request No. 94**, by Representative Meier, congratulating Skyler J. Marsh on receiving the Girl Scout Gold Award;

**Request No. 95**, by Representative Meier, congratulating Kayla L. Oatney on receiving the Girl Scout Gold Award;

**Request No. 96**, by Representative Meier, congratulating Ashley M. Raletz on receiving the Girl Scout Gold Award;

**Request No. 97**, by Representative Meier, congratulating Kayla Wright on receiving the Girl Scout Gold Award;

**Request No. 98**, by Representative Grant, congratulating Wayne Cichon on coaching the St. Mary's Colgan boys basketball team to win 500 games including five state Class 2A titles;

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

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

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

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2783**, AN ACT concerning sales taxation; relating to exemptions; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Taxation.

## **MESSAGE FROM THE GOVERNOR**

**HB 2273, HB 2441, HB 2460** approved on March 9, 2012.

## **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6018**—

By Committee on Energy and Utilities

A RESOLUTION opposing and exposing the radical and destructive United Nations Agenda 21.

WHEREAS, The United Nations Agenda 21 is a comprehensive plan of extreme environmentalism, social engineering and global political control that was initiated at the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992; and

WHEREAS, The United Nations Agenda 21 is being covertly pushed into local communities throughout the United States of America through the International Council of Local Environmental Initiatives through local "sustainable development" policies such as Smart Growth, Wildlands Project, Resilient Cities, Regional Visioning Projects and other "Green" or "Alternative" projects; and

WHEREAS, This United Nations Agenda 21 plan of radical so-called "sustainable development" views the American way of life of private property ownership, single family homes, private car ownership, individual travel choices and privately owned farms as destructive to the environment; and

WHEREAS, The United States federal government and no state or local government is legally bound by the United Nations Agenda 21; and

WHEREAS, According to the United Nations Agenda 21 policy, social justice is described as the right and opportunity of all people to benefit equally from the resources afforded us by society and the environment which would be accomplished by socialist and communist redistribution of wealth: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize the destructive and insidious nature of United Nations Agenda 21 and hereby expose to public policy makers the dangerous intent of the plan; and

*Be it further resolved:* That the federal government and all state and local governments across the country should seek to be well informed of the underlying harmful implications of the implementation of United Nations Agenda 21 destructive strategies for "sustainable development" and that we hereby endorse rejection of its radical policies; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to each member of the Kansas Congressional Delegation.

**REPORT ON ENGROSSED BILLS**

**HB 2697, HB 2758** reported correctly engrossed March 8, 2012.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

