

# Journal of the House

## FORTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 21, 2012, 10:00 a.m.

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

The roll was called with 124 members present.

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

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

Prayer by guest chaplain, the Rev. Steve Spencer, pastor, Augusta United Methodist Church, and guest of Rep. Crum:

Loving and gracious God, thank you for the blessing of this day, for your presence and activity in our lives, and for overall health and well being.

Lord, you have blessed us to live in a land of promise—where we can worship you freely, govern ourselves justly, and live out our days in peace.

You have blessed us with men and women set apart to lead your people and govern your land. I ask your blessing on their lives, and on their families, who also sacrifice, so that these leaders can serve in this chamber.

I pray, Lord, that as they face the challenges and stresses of this day, as competing interests and needs may arise, that they seek your wisdom and guidance to choose what is best for the people of Kansas. May they find confidence to lead our state guided by the values and principals established in your Word and lived out by your Son.

Lord, in the expanse of time, our days here are but a few. May the time we do have be marked by seeking justice, loving mercy and walking humbly with you. Hear now this prayer as it is prayed in the name of your son, Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. McCray-Miller.

Kansas Trivia Question – What two rivers form the Kaw?

Answer: The Republican and the Smoky Hill Rivers.

**POINT OF PERSONAL PRIVILEGE**

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

For over 85 years, Junior League of Wichita has served the needs of the community through numerous service projects and volunteer hours. A delicious part of the Junior League legacy are their cookbooks. Proceeds from their newest cookbook, Pinches and Dashes, will put their financial and volunteer resources to work on the substantial problem of child abuse in our community.

Help me welcome members of the Junior League of Wichita who are in the gallery.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

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

Agriculture and Natural Resources: **SB 412**.

Health and Human Services: **Sub SB 327**.

Veterans, Military and Homeland Security: **HR 6021**.

**MESSAGES FROM THE GOVERNOR**

**HB 2459, HB 2535** approved on March 20, 2012.

**COMMUNICATIONS FROM STATE OFFICERS**

From David J. King, Chair, Kansas Commission on Judicial Qualifications, 2011 Annual Report.

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

**MESSAGE FROM THE SENATE**

The Senate nonconcurrs in House amendments to **SB 258**, requests a conference and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 300**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2413** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2427** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2432** and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2534** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 258**.

Representative O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 300**.

Representative O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as conferees on the part of the House.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

The motion of Rep. Grant, in accordance with subsection (b) of House Rule 1309, that **HB 2002** be withdrawn from the Committee on Federal and State Affairs and placed on the Calendar under the order of business General Orders and to be the first bill to be considered on March 21, 2012, was considered.

The motion did not prevail.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2766**, AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 73-2502, 73-2504, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Collins, Flaharty, Kiegerl, Schwab.

Present but not voting: None.

Absent or not voting: Cassidy, Crum, Knox.

The bill passed, as amended.

**HB 2773**, AN ACT concerning school districts; authorizing the expenditure of certain unencumbered funds; amending K.S.A. 2011 Supp. 72-965, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-8237, 72-8250, 72-9509 and 72-9609 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 9; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Dillmore, Finney, Flaharty, Kelly, Kuether, Lane, Peck, Tietze, Victors.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The bill passed, as amended.

**H Sub SB 28**, AN ACT concerning school districts; relating to the adequacy of the state's provision for finance of the educational interests of the state, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 46; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Billinger, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Pottorff, Proehl, Roth, Ruiz, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The substitute bill passed.

**H Sub for SB 114**, AN ACT concerning counties; relating to certain solid waste disposal areas, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 19; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Bollier, Calloway, Carlin, Colloton, Dillmore, Flaharty, Henderson, Kuether, Lane, LeDoux, Mah, Mast, Meier, Rubin, Slattery, Spalding, Swanson, Winn, K. Wolf.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The substitute bill passed, as amended.

**SB 155**, AN ACT concerning school districts; relating to the assessed valuation of certain school districts, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 31; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burroughs, Calloway, Carlson, Collins, Colloton, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Ward, Weber, Wetta, B. Wolf, K. Wolf, Worley.

Nays: Arpke, Ballard, Brown, Burgess, Carlin, Dillmore, Feuerborn, Flaharty, Frownfelter, S. Gatewood, Gordon, Grant, Henderson, Henry, Hildabrand, Johnson, Kuether, Lane, LeDoux, Loganbill, McCray-Miller, Phelps, Ruiz, Slattery, Tietze, Trimmer, Tyson, Victors, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The bill passed, as amended.

**H Sub for Sub SB 159**, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; conditions for persons on probation; searches of parolees and persons on postrelease supervision; conditions for sex offenders; amending K.S.A. 2011 Supp. 21-6607 and 22-3717 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Brown, Gordon, Grosserode, Hildabrand, McCray-Miller, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

**H Sub for SB 160**, AN ACT concerning real property; relating to trespass and liability; exceptions; amending K.S.A. 58-3201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Flaharty, Kuether, Lane, Winn.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

**SB 207**, AN ACT concerning counties; relating to acceptance of credit and debit cards, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Brunk, DeGraaf, Fawcett, Kiegerl, Rhoades.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 250**, AN ACT concerning health care; pertaining to the continuation of health insurance for firefighters; relating to the interstate health care compact, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Brown, Collins, Donohoe, Mesa, O'Hara, Schwab.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 257**, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2011 Supp. 72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449, and 72-6451 and repealing the existing sections. Also repealing K.S.A. 2011 Supp. 72-6442b, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Billinger, Collins, Dillmore, Kelly, Patton.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 262**, AN ACT concerning children; relating to grandparent custody, visitation and residency, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.



**SB 273**, AN ACT concerning costs for examination of an insurance company; amending K.S.A. 2011 Supp. 40-223 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Boman, Brown, Brunk, Collins, DeGraaf, Donohoe, S. Gatewood, Gregory, Grosserode, Hildabrand, Howell, Huebert, Kelley, Kiegerl, Kinzer, Landwehr, LeDoux, Mah, Mast, Meigs, O'Hara, Rhoades, Scapa, Schwab, Smith, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**H Sub for SB 287**, AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2234 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

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

Nays: LeDoux.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

**SB 304**, AN ACT concerning domestic relations; enacting the batterer intervention program certification act; case management; amending K.S.A. 2011 Supp. 21-5414, 21-6604, 22-4616 and 23-3508 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Ryckman.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**H Sub for SB 315**, AN ACT concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 24; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Brown, Brunk, Carlson, Collins, Donohoe, D. Gatewood, S. Gatewood, Gregory, Grosserode, Hildabrand, Huebert, Kelley, Kiegerl, Kinzer, Landwehr, LeDoux, Mah, O'Hara, Patton, Peck, Rhoades, Shultz, Tyson, Victors.

Present but not voting: None.

Absent or not voting: Cassidy.  
The substitute bill passed.

**SB 320**, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 322**, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 30; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Boman, Brown, Brunk, Carlin, Dillmore, Feuerborn, Flaharty, D.

Gatewood, S. Gatewood, Grant, Gregory, Grosserode, Hildabrand, Huebert, Kelley, Kiegerl, Landwehr, Lane, LeDoux, Meigs, Moxley, O'Hara, Peck, Rhoades, Scapa, Schwab, Schwartz, Tyson, Vickrey.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

**SB 330**, AN ACT concerning civil procedure; relating to malpractice liability screening panels; amending K.S.A. 2011 Supp. 60-3502, 60-3503, 60-3505, 65-4901, 65-4902 and 65-4904 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

**H Sub for SB 341**, AN ACT concerning governmental organization; relating to consolidation; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904, 12-3909 and 19-205 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

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

Siegfreid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Carlin, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

**H Sub for SB 344**, AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142, was considered on final action.

On roll call, the vote was: Yeas 48; Nays 76; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arpke, Ballard, Bethell, Bowers, Brookens, Burroughs, Carlin, Carlson, Collins, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Henderson, Henry, Hill, Johnson, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Roth, Ruiz, Shultz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Aurand, Billinger, Bollier, Boman, Brown, Bruchman, Brunk, Burgess, Calloway, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill did not pass.

**SB 345**, AN ACT enacting the Kansas appraisal management company registration act, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

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

Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Gregory, Grosserode, Hildabrand, Landwehr, LeDoux, Rubin, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

**SB 366**, AN ACT concerning civil procedure; relating to attachment and garnishment; amending K.S.A. 60-733 and 61-3506 and K.S.A. 2011 Supp. 60-736, 60-738, 60-739, 61-3509, 61-3511 and 61-3512 and repealing the existing sections, was considered on final action.

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

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

Nays: Gordon, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 367**, AN ACT concerning juries; relating to jury lists; jury commissioners; jury service; amending K.S.A. 43-156 and 43-162 and K.S.A. 2011 Supp. 43-158 and 79-3234 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3234b, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

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

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

Nays: Dillmore, Kuether, Victors, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

**SB 417**, AN ACT concerning economic development; relating to the powers, duties and functions transferred to the secretary of commerce from Kansas, Inc.; making changes in references and transfers to state officers and agencies with respect thereto; amending K.S.A. 74-5007a, 74-50,101, 74-8009a, 74-8013, 74-8015, 74-8016, 74-8204, 74-8310 and 74-9306 and K.S.A. 2011 Supp. 12-17,169, 12-17,177, 74-5001a, 74-5049, 74-5089, 74-5095, 74-50,151, 74-8004, 74-8006, 74-8010, 74-8106, 74-8111, 74-8136, 74-8317, 74-8405, 74-99b09, 74-99c07, 74-99e02, 75-2935, 75-2935b, 75-3702k, 75-3702l, 75-3702m and 75-3702n and repealing the existing sections; also repealing K.S.A. 74-8003, 74-8011, 74-8012 and 74-8014 and K.S.A. 2011 Supp. 74-50,134, 74-8001, 74-8002, 74-8005, 74-8007, 74-8102 and 74-99c10, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

**SB 422**, AN ACT concerning courts; relating to judges pro tem; amending K.S.A. 20-310a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico,

Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

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

#### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2761**; **SB 403** be passed.

**SCR 1616** be adopted.

Committee report recommending a substitute bill to **H Sub for Sub SB 148** be adopted; and the substitute bill be passed.

Committee report to **SB 306** be adopted; and the bill be passed as amended.

Committee report to **Sub SB 307** be adopted; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 74** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 79** be adopted; also on motion of Rep. Slattery to amend, Rep. Smith requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. Slattery to amend **H Sub for SB 79** on page 2, following line 12, by inserting:

"Sec. 6. (a) The legislature hereby declares the following:

(1) The founders of the republic and the signers of the United States constitution clearly and emphatically intended freedom of speech to mean freedom to communicate with and by naturally born persons either directly or through the free press;

(2) corporations are entirely human-made legal fictions created by the express permission of the citizens of this country and its government;

(3) corporations are not mentioned in the United States constitution, have never been granted constitutional rights nor have ever been granted authority that exceeds that of the citizens of this country; and

(4) corporations should not have the same first amendment rights as naturally born persons.

(b) Except as expressly provided by law, no corporation shall be deemed to hold the



same rights and privileges possessed by natural persons.";

And by renumbering sections accordingly;

Roll call was demanded.

On roll call, the vote was: Yeas 46; Nays 74; Present but not voting: 0; Absent or not voton: 5.

Yeas: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Henderson, Henry, Hill, Huebert, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Roth, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, Victors, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

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

Present but not voting: None.

Absent or not voting: Cassidy, Gordon, Grant, Landwehr, Ward.

The motion of Rep. Slattery did not prevail; and **H Sub for SB 79** be passed.

Committee report to **Sub SB 283** be adopted; also, on motion of Rep. Colloton to amend, the motion did not prevail; and the substitute bill be passed as amended.

Committee report to **HB 2741** be adopted; also, on motion of Kiegerl to amend, Rep. Brookens requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Kiegerl to amend **HB 2741**, which was withdrawn; and the bill be passed as amended.

Committee report to **SB 394** be adopted; also, on motion of Rep. Colloton be amended on page 2, in line 3, by striking "member" and inserting "members"; also in line 3, by striking "attorney general" and inserting "president of the senate and the speaker of the house of representatives"; in line 4, by striking "chairperson" and inserting "co-chairs"; also in line 4, after the period by inserting "The secretary of corrections shall serve as vice-chairperson."; in line 5, by striking "the chairperson" and inserting "either co-chair";

Also, on motion of Rep. O'Brien, **SB 394** be amended on page 3, following line 29, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 75-7c05 is hereby amended to read as follows: 75-7c05.

(a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is

the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

(2) a statement that the applicant is in compliance with criteria contained within K.S.A. 2011 Supp. 75-7c04, and amendments thereto;

(3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;

(4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2011 Supp. 21-5903, and amendments thereto; and

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) The applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

(1) A completed application described in subsection (a);

(2) ~~except as provided by subsection (g),~~ a nonrefundable license fee of \$132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general;

(3) a photocopy of a certificate or an affidavit or document as described in subsection (b) of K.S.A. 2011 Supp. 75-7c04, and amendments thereto, or if applicable, of a license to carry a firearm as described in subsection (d) of K.S.A. 2011 Supp. 75-7c03, and amendments thereto; and

(4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c) (1) The sheriff, upon receipt of the items listed in subsection (b) of this section, shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general a copy of the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 2011 Supp. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall

be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

- (1) Issue the license and certify the issuance to the department of revenue; or
- (2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 2011 Supp. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee of \$75, which fee shall be in the form of two cashier checks or money orders, \$25 payable to the sheriff of the county where the applicant resides and \$50 payable to the attorney general, to be forwarded by the sheriff to the attorney general as provided by subsection (b)(2); (B) exempt from the required completion of a weapons handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided by subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than

one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirements of this section.";

And by renumbering sections accordingly;

Also on page 3, in line 30, after "Supp." by inserting "75-7c05 and"; also in line 30, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "certain offenders" and inserting "corrections and corrections officers"; in line 3, after "Supp." by inserting "75-7c05 and"; in line 4, by striking "section"; and inserting "sections";

Also, on motion of Hedke to amend **SB 394**, Rep. McCray-Miller requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Hedke, and **SB 394** be amended on page 1, following line 6, by inserting:

"New Section 1. (a) Notwithstanding any provision of the prison-made goods act of Kansas to the contrary, the secretary shall not establish or maintain a home building program which manufacturers or produces housing units which would compete with the:

(1) (A) Manufactured homes or modular homes manufactured, assembled or sold by manufactured home manufacturers; or

(B) manufactured homes or modular homes sold by manufactured home dealers; or

(2) (A) Modular homes manufactured, assembled or sold by modular home manufacturers; or

(B) modular homes sold by modular home dealers.

(b) As used in this section:

(1) "Manufactured home" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto;

(2) "manufactured home dealer" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto;

(3) "manufactured home manufacturer" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto; and

(4) "modular home" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto.

(5) "secretary" means the secretary of corrections.

(6) "Vocational building program" means the vocational building program operated by the secretary to provide individual, freestanding buildings, not to exceed 1,000 square feet in size, to state agencies for use by such agencies.

(c) The provisions of this section shall not apply to a vocational building program.

(d) This section shall be a part of and supplemental to the prison-made goods act of Kansas.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "corrections;" by inserting "relating to the prison-made goods act; prohibiting the manufacture or production of manufactured homes or modular homes;"

Also, on motion of Rep. Knox to amend **SB 394**, Rep. Loganbill requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment

germane. The question reverted back to the motion of Rep. Knox to amend **SB 394** on page 3, following line 29, by inserting:

"New Sec. 3. (a) The carrying of a concealed handgun as authorized by the personal and family protection act shall not be prohibited in state or municipal buildings unless such building has adequate security measures to ensure that no weapons are permitted to be carried into such building.

(b) No state agency or municipality shall prohibit an employee who is licensed to carry a concealed handgun under the provisions of the personal and family protection act from carrying such concealed handgun at the employee's work place unless the building has adequate security measures and is properly posted prohibiting concealed carry.

(c) It shall not be a crime for a person to carry a concealed handgun into such building so long as that person is licensed to carry a concealed handgun under the provisions of the personal and family protection act and has authority to enter through a restricted access entrance into such building which provides adequate security measures and is properly posted prohibiting concealed carry.

(d) Nothing in this act shall prohibit a state agency or municipality from instituting employee policies restricting concealed carry of a handgun by a person who is licensed to carry a concealed handgun under the provisions of the personal and family protection act in a state or municipal building which provides adequate security measures and is properly posted prohibiting concealed carry.

(e) Subject to provisions of subsection (f), nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a concealed handgun by any person on such premises.

(f) Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security at the public access entrances in order to prohibit the carrying of a concealed handgun in such public areas.

(g) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(h) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

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

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

concerning acts or omissions regarding such handguns.

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

(l) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building by members of the public.

(2) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

(3) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(4) "State" means as the term is defined in K.S.A. 75-6102, and amendments thereto.

(5) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(6) "Weapon" means weapons described in K.S.A. 2011 Supp. 21-6301, and amendments thereto.

(m) This section shall be a part of and supplemental to the personal and family protection act.

Sec. 4. K.S.A. 2011 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10.

(a) Provided that the premises are conspicuously posted in accordance with rules and regulations adopted by the attorney general as premises where carrying a concealed handgun is prohibited, and subject to provisions of section 3, and amendments thereto, dealing with state agencies and municipalities, no license issued pursuant to or recognized by this act shall authorize the licensee to carry a concealed handgun into the building of:

(1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;

(2) any police, sheriff or highway patrol station;

(3) any detention facility, prison or jail;

(4) any courthouse, except that nothing in this section would preclude a judge from carrying a concealed handgun or determining who may carry a concealed handgun in the judge's courtroom;

(5) any polling place on the day an election is held;

(6) any state office;

(7) any facility hosting an athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institution of postsecondary education;

(8) any facility hosting a professional athletic event not related to or involving firearms;

(9) any drinking establishment as defined by K.S.A. 41-2601, and amendments thereto;

(10) any elementary or secondary school, attendance center, administrative office, services center or other facility;

(11) any community college, college or university ;

(12) any child exchange and visitation center provided for in K.S.A. 75-720, and amendments thereto;

(13) any community mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto; any mental health clinic organized pursuant to K.S.A. 65-211 *et seq.*, and amendments thereto; any psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or a state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital or Rainbow mental health facility;

(14) any public library operated by the state;

(15) any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or

(16) any place of worship.

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

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

~~(b)~~(c) Subject to provisions of section 3, and amendments thereto, nothing in this act shall be construed to prevent:

(1) Any public or private employer from restricting or prohibiting by personnel policies persons licensed under this act from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises; or

(2) any private business or city, county or political subdivision from restricting or prohibiting persons licensed or recognized under this act from carrying a concealed handgun within a building or buildings of such entity, provided that the premises are posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f), as premises where carrying a concealed handgun is prohibited.

~~(e)~~(d) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the premises are posted in accordance with rules and regulations adopted by the attorney

general pursuant to subsection (f). Any person who violates this section shall be guilty of a misdemeanor punishable by a fine of: (A) Not more than \$50 for the first offense; or (B) not more than \$100 for the second offense. Any third or subsequent offense is a class B misdemeanor.

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

~~(d)~~(e) For the purposes of this section, "building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

~~(e)~~(f) Nothing in this act shall be construed to authorize the carrying or possession of a handgun where prohibited by federal law.

~~(f)~~(g) The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on premises where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:

- (1) The signs be posted at all exterior entrances to the prohibited buildings;
- (2) they be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;
- (3) the signs not be obstructed or altered in any way; and
- (4) signs which become illegible for any reason be immediately replaced.

Sec. 5. K.S.A. 2011 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm on the grounds in any of the following places:

- (1) Within any building located within the capitol complex;
- (2) within the governor's residence;
- (3) on the grounds of or in any building on the grounds of the governor's residence;
- (4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or
- (5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

(b) Violation of this section is a class A misdemeanor.

(c) This section shall not apply to:

- (1) A commissioned law enforcement officer;
- (2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;
- (3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
- (4) a member of the military of this state or the United States engaged in the



performance of duties; or

(5) a person with a license issued pursuant to or recognized under K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto, except in buildings posted in accordance with K.S.A. 2011 Supp. 75-7c10, and amendments thereto, and in the areas specified in subsections (a)(2) and (a)(3).

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

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

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

(e) It is not a violation of this section for a person to possess a firearm as authorized under the personal and family protection act.

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

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

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

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

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

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

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the facility, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes;

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

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

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

the parking of motor vehicles.";

And by renumbering sections accordingly;

Also on page 3, in line 30, after "Supp." by inserting "21-6309, 75-7c10 and"; also in line 30, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "the secretary of corrections; establishing the justice"; by striking all in line 2; in line 3, by striking "certain offenders" and inserting "corrections, correction officers and concealed handguns"; also in line 3, after "Supp." by inserting "21-6309, 75-7c10 and"; in line 4, by striking "section"; and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 68; Nays 52; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Denning, Donohoe, Fawcett, Frownfelter, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kinzer, Kleeb, Knox, Landwehr, Lane, LeDoux, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, Wetta, B. Wolf.

Nays: Ballard, Bethell, Brookens, Brown, Burroughs, Carlin, Colloton, Crum, Davis, Dillmore, Feuerborn, Finney, Flaharty, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kelly, Kerschen, Kuether, Loganbill, Mah, McCray-Miller, Moxley, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Kiegerl, O'Neal, Peterson.

The motion of Rep. Knox prevailed; and **SB 394** be passed as amended.

Committee report to **SB 301** be adopted; and the bill be passed as amended.

Committee report to **SB 413** be adopted; and the bill be passed as amended.

Committee report to **SB 424** be adopted; and the bill be passed as amended.

Committee report to **SB 438** be adopted; also, roll call was demanded on motion of Rep. Frownfelter to amend **SB 438** on page 1, following line 5, by inserting:

"New Section 1. Sections 1 through 7, and amendments thereto, shall be known and may be cited as the fair consideration of the unemployed act.

New Sec. 2. No employer, employment agency or labor organization shall inquire into or shall use a job applicant's unemployment status or gap in employment history as a basis to refuse to hire or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or terms, privileges, or conditions of employment.

New Sec. 3. No employer, employment agency or labor organization, including any agent or employee thereof, shall publish or cause to be published in any newspaper, magazine or other periodical, broadcast or cause to be broadcast by radio or television, or post electronically on the internet an employment advertisement that includes any of the following:

(a) A statement or provision stating or suggesting that current employment is a job

qualification.

(b) A statement or provision stating or suggesting that an application from a job applicant who is currently unemployed will not be considered or reviewed and the applicant will not be considered for an interview or be hired.

(c) A provision stating or suggesting that only applications for employment from applicants who are currently employed will be considered or reviewed.

New Sec. 4. The provisions of sections 2 and 3, and amendments thereto, shall not prohibit an employer, employment agency or labor organization from:

(1) Granting a preference in employment decisions to current employees of such employer, employment agency or labor organization; or

(2) requiring previous experience that is relevant to the employment.

New Sec. 5. (a) Any employer, employment agency or labor organization, including any agent or employee thereof, that violates any provision of this act shall incur, in addition to any other penalty provided by law, a civil penalty in an amount of up to \$5,000 for the first violation and, up to \$10,000 for each subsequent violation.

(b) The secretary, upon a finding that any employer, employment agency or labor organization, including any agent or employee thereof, has violated any provision of this act, and amendments thereto, may impose a penalty within the limits provided in this section, which penalty shall constitute an actual and substantial economic deterrent to the violation for which it is assessed.

(c) No penalty shall be imposed pursuant to this section except upon the written order of the secretary to the employer, employment agency or labor organization, including any agent or employee thereof, who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of such employer, employment agency or labor organization, including any agent or employee thereof, to appeal to a hearing before the secretary. Within 15 days after service of the order, any such employer, employment agency or labor organization, including any agent or employee thereof, may appeal such order by making written request to the secretary for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any action of the secretary pursuant to subsection (c) is subject to review in accordance with the Kansas judicial review act.

New Sec. 6. (a) This act shall be administered by the secretary.

(b) The secretary is hereby authorized to adopt rules and regulations necessary to implement the provisions of this act. Such rules and regulations shall be adopted and become effective on or before July 1, 2013.

(c) Any person who believes that any employer, employment agency or labor organization, including any agent or employee thereof, has violated any provision of this section, may file a complaint with the secretary. Such complaint shall be in writing and signed by the individual filing the complaint. The secretary shall review and may investigate any such complaints. If, after an investigation, the secretary determines that a violation of this section has occurred, the secretary shall notify the employer, employment agency or labor organization, including any agent or employee thereof, who has been found to be in violation of this section that such employer, employment agency or labor organization, including any agent or employee thereof, has been found to be in violation of this section and subject to a civil penalty pursuant to section 5, and amendments thereto.

New Sec. 7. For the purposes of sections 1 through 7, and amendments thereto:

(a) "Employer" shall have the meaning ascribed to such term in K.S.A. 44-313, and amendments thereto.

(b) "Employment agency" shall have the meaning ascribed to the term "private employment agency" in K.S.A. 44-401, and amendments thereto.

(c) "Labor organization" shall have the meaning ascribed to such term in K.S.A. 44-802, and amendments thereto.

(d) "Gap in employment" means a period of time between periods of employment during which a person was not employed.

(e) "Secretary" means the secretary of labor.

(f) "Unemployment" means the status of being unemployed or not working for an employer.

New Sec. 8. (a) Except as provided in subsection (b), no employer, labor organization or employment agency shall use an applicant's or employee's consumer report in determining whether to:

(1) Deny employment to the applicant;

(2) discharge the employee; or

(3) determine compensation or the terms, conditions or privileges of employment.

(b) (1) An employer labor organization or employment agency may request or use an applicant's or employee's consumer report if:

(A) The applicant has received an offer of employment; and

(B) the consumer report will be used for a purpose other than a purpose prohibited by subsection (a); or

(2) the employer, labor organization or employment agency has a *bona fide* purpose for requesting or using information in the consumer report that is:

(A) Substantially job-related; and

(B) disclosed in writing to the employee or applicant.

(c) For the purposes of this subsection, a position for which an employer, labor organization or employment agency has a *bona fide* purpose that is substantially job-related for requesting or using information in a consumer report includes a position that:

(1) Is a law enforcement officer;

(2) Is managerial and involves setting the direction or control of a business, or a department, division, unit or agency of a business;

(3) involves access to personal information of a customer, employee or employer, except for personal information customarily provided in a retail transaction;

(4) involves a fiduciary responsibility to the employer, including the authority to issue payments, collect debts, transfer money or enter into contracts; and

(5) has access to information that:

(A) Is a trade secret; or

(B) contains other confidential business information.

(d) This section shall not be construed to prohibit an employer, labor organization or employment agency from performing an employment-related background investigation that:

(1) Includes use of a consumer report or investigative consumer report;

(2) is authorized under the federal fair credit reporting act; and

(3) does not involve investigation of credit information.

(e) The provisions of this section shall not apply to an employer, labor organization

or employment agency that is:

(1) Required to inquire into an applicant's or employee's credit report or credit history under federal law or any provision of the laws of this state law for the purpose of employment;

(2) a financial institution as such term is defined in K.S.A. 16-117, and amendments thereto; or

(3) an entity, or an affiliate of the entity, that is registered as an investment advisor with the United States securities and exchange commission.

New Sec. 9. Whenever an employer, labor organization or employment agency uses or relies upon an applicant's or employee's credit information to make an adverse employment decision as specified in subsection (a) of section 1, and amendments thereto, such employer, labor organization or employment agency shall notify in writing such applicant or employee that the adverse action was taken. The notification required by this section shall be made within 10 days of the decision to take such adverse action and shall be made in the same manner as the applicant's or employee's application was received.

New Sec. 10. A landlord may use a person's consumer report only for the purpose of assessing such person's payment history with prior landlords. If a landlord relies upon a person's consumer report to reject such person as a prospective tenant, such landlord shall disclose that fact in writing to the prospective tenant within 10 days of such rejection.

New Sec. 11. (a) Any person whose credit information has been obtained or used contrary to the provisions of this act may file a complaint with the secretary of labor. The complaint shall contain such information as required by the secretary of labor as specified in rules and regulations.

(b) Upon receipt of a complaint, the secretary shall investigate the complaint promptly. If the secretary determines that the employer, labor organization or employment agency has willfully or negligently violated subsection (a), the secretary shall try to resolve the matter informally.

(c) On or before the first day of the legislative session, the secretary of labor shall submit a report to the governor and the chairperson of the senate standing committee on commerce and the house standing committee on commerce and economic development a report on the implementation of this act including:

(1) The number of complaints received under this act during the preceding calendar year;

(2) the number of complaints investigated under this act during the preceding calendar year;

(3) the number of complaints resolved under this act during the preceding calendar year; and

(4) such other information as the secretary deems appropriate.

(d) The secretary of labor shall adopt rules and regulations necessary to administer this act. Such rules and regulations shall be adopted in accordance with the rules and regulations filing act within one year after the effective date of this act.

New Sec. 12. As used in sections 8 through 13, and amendments thereto:

(a) "Consumer" shall have the meaning as defined in K.S.A. 50-702, and amendments thereto.

(b) "Consumer report" shall have the meaning as defined in K.S.A. 50-702, and

amendments thereto.

(c) "Employer" shall have the meaning as defined in K.S.A. 79-3295, and amendments thereto.

(d) "Employment agency" shall have the meaning as defined in K.S.A. 44-401, and amendments thereto.

(e) "Financial institution" shall have the meaning as defined in K.S.A. 16-117, and amendments thereto.

(f) "Investigative consumer report" shall have the meaning as defined in K.S.A. 50-702, and amendments thereto.

(g) "Labor organization" shall have the meaning as defined in K.S.A. 44-802, and amendments thereto.

(h) "Law enforcement officer" shall have the meaning as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto.

(i) "Personal information" shall have the meaning as defined in K.S.A. 2011 Supp. 50-7a01, and amendments thereto.

(j) "Trade secret" shall have the meaning as defined in K.S.A. 60-3320, and amendments thereto.

New Sec. 13. Sections 8 through 13, and amendments thereto, shall be known and may be cited as the fair use of credit history act.

Sec. 14. K.S.A. 50-703 is hereby amended to read as follows: 50-703. A consumer reporting agency may furnish a consumer report under the following circumstances and no other:

- (a) in response to the order of a court having jurisdiction to issue such an order;
- (b) in accordance with the written instructions of the consumer to whom it relates; and
- (c) to a person which it has reason to believe:
  - (1) Intends to use the information in connection with a credit transaction involving the consumer on whom the information is to be furnished and involving the extension of credit to, or review or collection of an account of, the consumer; ~~or~~
  - (2) intends to use the information for employment purposes; ~~or~~
  - (3) intends to use the information in connection with the underwriting of insurance involving the consumer; ~~or~~
  - (4) intends to use the information in connection with a determination of the consumer's eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant's financial responsibility or status; ~~or~~
  - (5) otherwise has a legitimate business need for the information in connection with a business transaction involving the consumer; or
  - (6) intends to use the information as authorized by the fair use of credit history act.

And by renumbering remaining sections accordingly;

On page 1, in line 26, after "K.S.A." by inserting "50-703 and K.S.A."; also in line 26, by striking "is" and inserting "are";

Also on page 1, in the title, in line 1, after "concerning" by inserting "employment; pertaining to"; in line 2, after the semicolon by inserting "pertaining to the use of credit information in certain employment decisions; pertaining to the use of employment history in certain employment decisions;"; also in line 2, after "K.S.A." by inserting

"50-703 and K.S.A.":

On roll call, the vote was: Yeas 31; Nays 84; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Mah, McCray-Miller, Meier, Pauls, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Bollier, Cassidy, Goico, Hill, Huebert, Kelley, Kiegerl, Loganbill, Peterson.

The motion of Rep. Frownfelter did not prevail.

Also, on motion of Rep. Mah to amend **SB 438**, Rep. Billinger requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Mah to amend.

Also, on motion of Rep. Siegfried, **SB 438** be referred to Committee on Federal and State Affairs.

Committee report recommending a substitute bill to **H Sub for SB 416** be adopted; and the substitute bill be passed.

Committee report to **HB 2764** be adopted; also, roll call was demanded on motion of Rep. Rhoades to refer the bill to Committee on Appropriations.

On roll call, the vote was: Yeas 41; Nays 80; Present but not voting: 0; Absent or not voting: 4.

Yeas: Arpke, Aurand, Boman, Bowers, Brown, Brunk, Carlson, Collins, Crum, DeGraaf, Donohoe, Garber, Gonzalez, Grosserode, Hayzlett, Hedke, Henderson, Hineman, Johnson, Kelley, Landwehr, Mast, McLeland, Meigs, Mesa, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Prescott, Rhoades, Roth, Schroeder, Schwab, Schwartz, Shultz, Suellentrop, Tyson, Worley.

Nays: Alford, Ballard, Bethell, Billinger, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Goodman, Gordon, Grange, Grant, Gregory, Henry, Hermanson, Hildabrand, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Montgomery, Moxley, O'Brien, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Rubin, Ruiz, Ryckman, Scapa, Seiwert, Siegfried, Slattery, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson, Sloan.

The motion of Rep. Rhoades did not prevail.

Also, on motion of Rep. Rubin, **HB 2764** be amended on page 4, following line 4, by inserting:

"(h) To the extent that the provisions of this section require benefits that exceed the essential health benefits specified under section 1302(b) of the patient protection and affordable care act, Pub. L. No. 111-148, as amended, no health benefit plan offered by a health insurer in this state shall be required to offer any specific benefits required by this section that exceed the essential benefits specified under section 1302(b) of the patient protection and affordable care act, Pub. L. No. 111-148, as amended.";

Also, on motion of Rep. Siegfried, **HB 2764** be amended on page 1, in line 25, after "(a) (1) " by inserting "Except as provided in subsection (h),";

On page 4, in following line 4, by inserting:

"(h) The commissioner of insurance shall grant a small employer with a health benefit plan, as such term is defined in K.S.A. 40-2209d, and amendments thereto, a waiver from the provisions of this section, if the small employer demonstrates to the commissioner of insurance by actual claims experience over any consecutive twelve-month period that compliance with this section has increased the cost of the health insurance policy by an amount of two and a half percent or greater over the period of a calendar year in premium costs to such small employer.";

And by relettering the remaining subsections accordingly;

Also, on motion of Rep. Meigs to amend **HB 2764**, the motion did not prevail.

Also, on motion of Rep. O'Hara to amend **HB 2764**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. Rep. D. Gatewood challenged the ruling, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

The question reverted back to the motion of Rep. O'Hara to amend **HB 2764**. Rep. Slattery requested the question be divided. The question was divided. Rep. O'Hara subsequently withdrew her amendment.

Also, on motion of Rep. Denning, **HB 2764** be amended on page 4, following line 4, by inserting:

"New Sec. 3. (a) (1) On January 1, 2013, and on January 1 of the year following the year in which the rule and regulation required pursuant to subsection (b) becomes effective, the commissioner of insurance shall obtain from each health insurer who provided autism coverage in this state pursuant to this act the total cost of that portion of all premiums paid in all insurance policies or similar documents as specified in section 2(a), and amendments thereto, which is attributable to coverage for autism spectrum disorder as required by section 2, and amendments thereto, for the preceding calendar year.

(2) From the data accumulated by the commissioner of insurance shall be calculated an autism spectrum disorder premium rate which shall be equal to the average cost per person per month of the total premium collected which is attributable to coverage for autism spectrum disorder as required by section 2, and amendments thereto.

(3) If the autism spectrum disorder rate calculated pursuant to paragraph (2) exceeds \$.31 per person per month, then the amount of benefits specified in paragraphs (3) and (4) of section 2(a), and amendments thereto, shall be reduced by the percentage



which is equal to the ratio which is determined by dividing the difference between the autism spectrum disorder rate by \$.31, except that the amount of benefits specified in paragraphs (3) and (4) of section 2(a), and amendments thereto, shall not be reduced below zero.

(b) As soon as a new level of benefits has been calculated pursuant to subsection (a), the commissioner of insurance shall adopt a rule and regulation establishing the new benefit levels for paragraphs (3) and (4) of section 2(a), and amendments thereto, for the next policy year commencing after the rule and regulation required by this subsection becomes effective. The benefit levels established by such rule and regulation shall remain in effect until changed by a subsequent rule and regulation or by legislation.

(c) The commissioner is hereby authorized and directed to adopt rules and regulations necessary to implement this section.";

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Peck to amend **HB 2764**, the motion did not prevail. Also, on further motion of Rep. Peck to amend, the motion did not prevail. Also, on motion of Rep. Donohoe to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. O'Hara to amend **HB 2764** on page 4, following line 4, by inserting:

"New Sec. 3. (a) (1) The department of health and environment, or any successor agency, shall provide services for the diagnosis and treatment of autism spectrum disorders for any individual in the state of Kansas whose age is less than 19 years and who is described in paragraph (2). Such services for the diagnosis and treatment of autism spectrum disorders shall be at least equal to the services for the treatment and diagnosis of autism spectrum disorders required pursuant to section 2, and amendments thereto.

(2) The services for the diagnosis and treatment of autism spectrum disorders specified in paragraph (1) shall be provided to:

(A) Any individual who qualifies for or is provided services pursuant to the provisions of K.S.A. 38-2001, and amendments thereto; or

(B) any individual who is not listed in subsection (a)(2)(A) and who qualifies for or is provided services under an autism waiver or other Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*

(b) The department of health and environment, or any successor agency, is hereby directed to seek any necessary waivers from program requirements of the federal government as may be needed to carry out the provisions of this section and to maximize federal matching and other funds with respect to the provisions of this section. If the department of health and environment, or any successor agency, determines that one or more waivers from program requirements of the federal government are needed to carry out the provisions of this section, the department of health and environment, or any successor agency, shall implement the provisions of this section only if such waivers to federal program requirements have been obtained from the federal government.

(c) (1) Except as provided in paragraph (2), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42

U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the date of receipt of the waivers required under subsection (b).

(2) If the department of health and environment, or any successor agency, determines that no waivers are required to implement the provisions of subsection (b), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the effective date of this act.

(d) For the purposes of this section:

(1) "Autism spectrum disorder" means the following disorders within the autism spectrum: Autistic disorder, Asperger's syndrome and pervasive developmental disorder not otherwise specified, as such terms are specified in the diagnostic and statistical manual of mental disorders, fourth edition, text revision (DSM-IV-TR), of the American psychiatric association, as published in May, 2000, or later versions as established in rules and regulations adopted by the behavioral sciences regulatory board pursuant to K.S.A. 74-7507, and amendments thereto.

(2) "Diagnosis of autism spectrum disorder" means any medically necessary assessment, evaluation or test to determine whether an individual has an autism spectrum disorder.";

And by renumbering remaining sections accordingly;

On roll call, the vote was: Yeas 108; Nays 11; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Brookens, Crum, Fawcett, Hineman, Kiegerl, LeDoux, Montgomery, Pottorff, Roth, Swanson, Vickrey.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Hill, O'Neal, Peterson, K. Wolf.

The motion of Rep. O'Hara prevailed.

Also, on motion of Rep. Brown, **HB 2764** be amended on page 4, following line 4, by inserting before any of the new sections:

"(h) Coverage required under this section shall not be denied to any covered individual on the basis that such individual was diagnosed with an autism spectrum

disorder prior to the effective date of the policy.";

And by relettering remaining subsections accordingly; and **HB 2764** be passed as amended.

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **HB 2789**; **SB 436** be passed.

#### **REPORT OF STANDING COMMITTEE**

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

**Request No. 121**, by Representative Frownfelter, congratulating Irene Hill on celebrating her 100<sup>th</sup> birthday;

**Request No. 122**, by Representative Frownfelter, congratulating Ruth Mann-Chinn on celebrating her 100<sup>th</sup> birthday;

**Request No. 123**, by Representative Frownfelter, congratulating Harmon High School Basketball Team on winning 2<sup>nd</sup> place at State 5A;

**Request No. 124**, by Representative Moxley, congratulating Samuel Allen Eldridge on achieving the rank of Eagle Scout;

**Request No. 125**, by Representative Proehl, congratulating Labette Community College Wrestling Team on winning the National Junior College Athletic Association National Championship for 2012;

**Request No. 126**, by Representative Proehl, congratulating Coach Joe Renfro of Labette Community College on being named Coach of the Year for the National Junior College Athletic Association for 2012;

**Request No. 127**, by Representative McCray-Miller, commending the African American Council of Elders for their long standing commitment to cultural enrichment and to imparting wisdom to our entire community;

**Request No. 128**, by Representative Hermanson, commending Curtis Pitts and The Neighborhood Academic & Athletic Association in recognition for exemplary community leadership and civic engagement;

**Request No. 129**, by Representative O'Brien, congratulating Christopher Tiner on achieving the Girl Scout Gold Award;

**Request No. 130**, by Representative Davis, commending Kathy Cook for her years of dedication to our public schools through the establishment of Kansas Families for Education;

**Request No. 131**, by Representative Pottorff, congratulating Kapuan Mt. Carmel Boys' Basketball Team on winning the 2012 State 5A Championship;

**Request No. 132**, by Representative Ward, congratulating Gerald Graves for being inducted into the Kansas Music Hall of Fame as a member of The Clocks, Class of 2012;

**Request No. 133**, by Representative Billinger, congratulating Hoxie High School on winning the Girls 1A State Basketball Championship, Boys 1A State 3<sup>rd</sup> Place Wrestling and Boys 1A State 3<sup>rd</sup> Place Basketball;

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

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

### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Hayzlett, the House concurred in Senate amendments to **HB 2557**, AN ACT concerning commercial vehicles; requiring an annual commercial vehicle fee; amending K.S.A. 79-306d and K.S.A. 2011 Supp. 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04, 79-1439, 79-3425i and 79-5101 and repealing the existing sections.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2464** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **HB 2485** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Shultz, Hermanson and Grant as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2494** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2502** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2503** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2516** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2517** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2563** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Wetta as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **S Sub for HB 2596** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2604** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Burgess, DeGraaf and Trimmer as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2613** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2655** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2704** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and Pauls as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2706** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Burgess, DeGraaf and Trimmer as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurrred in Senate amendments to **S Sub for HB 2730** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **HB 2430** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Bethell, the House nonconcurrred in Senate amendments to **HB 2471** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Bethell, Worley and Flaharty as conferees on the part of the House.

#### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **SCR 1616; H Sub for SB 148; HB 2761, SB 306; Sub SB 307; HB 2764; H Sub for SB 74; H Sub for SB 79; Sub SB 283; HB 2741, SB 394, SB 301, SB 413; H Sub for SB 416; SB 424, SB 403** were advanced to that order of business, Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SCR 1616**, in support of the Native Nations Law Symposium and urging the Governor to declare a "Tribal Law Day.", was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The resolution was adopted.

**H Sub for Sub SB 148**, AN ACT concerning water; relating to division of a water right; relating to project permits for sand and gravel operations; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

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

Nays: S. Gatewood, Mah.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

**HB 2761**, AN ACT concerning the Kansas department of agriculture; relating to changes due to the establishment of the division of animal health, the agriculture marketing and promotions program and the division of conservation; amending K.S.A. 2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-4002, 74-4003, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-567, 74-50,156, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-50,161 and K.S.A. 2011 Supp. 2-1932, 47-1307, 74-50,157, 74-50,158, 74-50,159, 74-50,160 and 74-50,162, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Carlin, Feuerborn, D. Gatewood, Phelps, Ward.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed.

**SB 306**, AN ACT concerning crimes, punishment and criminal procedure; relating to intimidation of a witness; amending K.S.A. 2011 Supp. 21-5909 and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**Sub SB 307**, AN ACT concerning crimes, punishment and criminal procedure; relating to lesser included crimes; murder in the first degree; relating to time limitations at trial; amending K.S.A. 22-3402 and K.S.A. 2011 Supp. 21-5109 and repealing the existing sections, was considered on final action.

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



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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed, as amended.

**HB 2764**, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2011 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 30; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Bethell, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Carlin, Colloton, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Billinger, Brunk, Calloway, Carlson, Collins, Crum, Donohoe, Garber, Hayzlett, Hineman, Johnson, Kelley, Kelly, Mast, McLeland, Meigs, Mesa, O'Neal, Patton, Peck, Powell, Rhoades, Roth, Schwab, Schwartz, Suellentrop, Tyson, Weber.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2764**. I have supported a review and expansion of our autism Medicaid waiver. However, this bill results in a much more dramatic expansion of our Medicaid program at a time when the Federal government is cutting back on

entitlement funding -- DAVID CRUM

MR. SPEAKER: At this point in time **HB 2764** offers false “hope and change” for children with autism. The bill is based on what the Affordable Care Act will or will not do without any conclusive facts on the essential care package which will be required at the Federal level. The state may bear the cost of this action for years to come.

We have individuals in this administration as well as members of the legislature who want to address the matter with decisions made on good policy and not on emotion. This bill will be enacted before the ACA is determined to be Constitutional. It is irresponsible to pass this legislation at this time.

I vote “No” on **HB 2764**. – PEGGY MAST, RICHARD BILLINGER, JIM KELLY, CARYN TYSON

MR. SPEAKER: I vote NO on **HB 2764**. I cannot support more mandated healthcare coverages for consumers and businesses. I know this is an emotional issue. Despite what was said I do love children...especially mine. – SCOTT SCHWAB

**H Sub for SB 74**, AN ACT concerning civil procedure; relating to social and rehabilitation services; amending K.S.A. 60-1501 and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

**H Sub for SB 79**, AN ACT concerning the protection of rights and privileges granted under the United States or Kansas constitutions, was considered on final action.

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

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez,

Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

**Sub SB 283**, AN ACT concerning sheriffs; relating to fees; amending K.S.A. 2011 Supp. 28-110 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 29; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Arpke, Brown, Brunk, Collins, DeGraaf, Donohoe, Fawcett, S. Gatewood, Gordon, Gregory, Grosserode, Hayzlett, Hildabrand, Howell, Kelley, Kiegerl, Kuether, Landwehr, Lane, LeDoux, McLeland, Meigs, O'Hara, Peck, Powell, Scapa, Schwartz, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed, as amended.

**HB 2741**, AN ACT concerning the Kansas family law code; relating to recodification; amending K.S.A. 13-1246a, 20-1204a, 20-2618, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-5005, 20-164, 20-165, 20-302b, 21-5808, 21-5924, 23-2217, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 28-177, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-2403, 60-2803, 60-3107, 74-147 and 74-4923 and repealing the existing sections; also repealing K.S.A. 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131,

23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136 and 23-4,137 and K.S.A. 2011 Supp. 28-177a, 38-2255b and 60-1613, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**SB 394**, AN ACT concerning corrections and corrections officers; amending K.S.A. 2011 Supp. 75-7c05 and 75-5220 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 52; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Colloton, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Kelley, Kiegerl, Kleeb, Knox, Landwehr, Lane, LeDoux, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, Wetta, B. Wolf.

Nays: Ballard, Bethell, Brookens, Burroughs, Carlin, Crum, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Grant, Henderson, Henry, Hill, Hineman, Huebert, Johnson, Kelly, Kerschen, Kinzer, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Moxley, Patton, Phelps, Phillips, Pottorff, Roth, Ruiz, Schwartz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**SB 301**, AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section, was

considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Collins, Grosserode, Landwehr, LeDoux.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**SB 413**, AN ACT creating the workers compensation and employment security boards nominating committee; amending K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 41; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bethell, Brookens, Burgess, Burroughs, Carlin, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Osterman, Pauls, Phelps, Roth, Ruiz, Schwartz, Slattery, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**H Sub for SB 416**, AN ACT concerning powers and duties of the secretary of labor; pertaining to the state workplace health and safety program; pertaining to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; pertaining to

the employment security law; pertaining to workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-575, 44-5,104, 44-634, 44-636, 44-704, 44-710a, 44-710b and 44-714 and replacing the existing sections; also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628, and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Brookens, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Pauls, Phelps, Ruiz, Slattery, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

**SB 424**, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 19-801b, 31-157, 74-5601 and 74-5622 and K.S.A. 2011 Supp. 12-1,120, 74-5602, 74-5603, 74-5605, 74-5607, 74-5607a, 74-5608a and 74-5616 and repealing the existing sections; also repealing K.S.A. 74-5618. , was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

**SB 403**, AN ACT concerning the uniform principal and income act; relating to conversion of a trust into a unitrust; amending K.S.A. 2011 Supp. 58-9-105 and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed.

### CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **H Sub for SB 17** from Committee on Elections and referral to Committee on Appropriations.

Also, the withdrawal of **H Sub for SB 104** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **H Sub for SB 176** from Committee on Appropriations and referral to Committee on Redistricting.

Also, the withdrawal of **SB 305** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **SB 393** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

### MESSAGE FROM THE SENATE

Announcing passage of **SB 267, SB 371, HB 415**.

Announcing passage of **Sub HB 2455; Sub HB 2477; HB 2769**.

Announcing passage of **Sub HB 2004**, as amended by **S Sub for Sub HB 2004; HB 2157**, as amended by **S Sub for HB 2157; HB 2200**, as amended by **S Sub for HB**

**2200; HB 2241**, as amended by **S Sub for HB 2241; HB 2430**, as amended; **HB 2435**, as amended.

Announcing adoption of **SCR 1618**.

Also, announcing passage of **SB 271, SB 356, SB 400; Sub SB 433**.

Announcing passage of **HB 2117**, as amended by **S Sub for HB 2117; HB 2313**, as amended by **S. Sub for HB 2313; HB 2390**, as amended by **S Sub for HB 2390; HB 2568**, as amended; **HB 2597**, as amended by **S sub for HB 2597; HB 2684**, as amended.

The Senate nonconcurrs in House amendments to **H Sub for SB 259**, requests a conference and has appointed Senators Morris, King and Kelly as conferees on the part of the Senate.

Also, announcing passage of **Sub HB 2318** as amended by **S Sub for Sub HB 2318**.

The Senate nonconcurrs in House amendments to **H Sub for SB 28**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 155**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 160**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 177**, requests a conference and has appointed Senators **Donovan, Apple** and **Holland** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 250**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 257**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 262**, requests a conference and has appointed Senators **Brungardt, Reitz** and **Faust-Goudeau** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 273**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 287**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 304**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 315**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 366**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 367**, requests a conference and



has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

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

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

**SB 267, SB 271, SB 356, SB 371, SB 400, SB 415; Sub SB 433; SCR 1618.**

#### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Davis, **SCR 1618**, A concurrent resolution relating to the adjournment of the senate and house of representatives for a period of time during the 2012 regular session of the legislature, was adopted.

#### **REPORT ON ENGROSSED BILLS**

**HB 2766, HB 2773** reported correctly engrossed March 21, 2012.

On motion of Rep. Siegfried, the House adjourned until 2:00 p.m, Monday, March 26, 2012.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

