

# Journal of the House

## FOURTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 1, 2013, 11:00 a.m.

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

The roll was called with 94 members present.

Reps. Boldra, Bradford, Bridges, Dove, Ewy, Gandhi, Goico, Grosserode, Hedke, Houston, Kelley, Lunn, Lusk, Meigs, Rhoades, Rooker, Shultz and Trimmer were excused on legislative business.

Reps. Bideau, Brunk, Frownfelter, Grant, Huebert, Montgomery, Peck, Perry, Peterson, Powell, Ryckman, Sr., Sawyer and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God and Parent of us all,  
in your divine majesty you have made each of us  
in the image of you.  
Our diversity reflects your glory.  
our unity comes from You.  
Today, I invite Your presence on these proceedings  
with faith and assurance that You will lead and direct.  
May we find encouragement from the words of Your prophet, Isaiah:  
“Do you not know?  
Have you not heard?  
The Lord is the everlasting God,  
the Creator of the ends of the earth.  
He will not grow tired or weary,  
and his understanding no one can fathom.  
He gives strength to the weary  
and increases the power of the weak.  
Even youths grow tired and weary,  
and young men stumble and fall;  
But those who hope in the Lord  
will renew their strength.  
They will soar on wings like eagles;  
they will run and not grow weary,  
they will walk and not be faint.”

Give our leaders courage to dream new dreams;  
to see new possibilities;  
and to put their hope in You.  
In Christ's Name I pray, Amen.  
(Isaiah 40:28-31)

The Pledge of Allegiance was led by Rep. Winn.

### PRESENTATION OF PETITIONS

The following petition was presented and filed:

**HP 2001**, by Rep. Davis, A petition expressing opposition to **HB 2023** and **SB 31**, signed by Colin Curtis and 4,651 other Kansas residents.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2195**, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Committee on Joint Committee on Special Claims Against the State.

**HB 2196**, AN ACT concerning alcoholic beverages; relating to licensure of distributors; amending K.S.A. 2012 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2197**, AN ACT concerning schools; relating to the high school activities association; pertaining to membership of the board and executive board; amending K.S.A. 72-130 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2198**, AN ACT enacting the cannabis compassion and care act; providing for the legal use of cannabis for certain debilitating medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment; amending and repealing the existing section; amending K.S.A. 79-5210 and repealing the existing section, by Committee on Vision 2020.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Commerce, Labor and Economic Development: **HB 2179**; **SB 7**.

Corrections and Juvenile Justice: **HR 6006**.

Education: **HB 2181**, **HB 2192**.

Federal and State Affairs: **HB 2180**, **HB 2189**, **HB 2190**, **HB 2193**, **HB 2194**; **HCR 5009**.

General Government Budget: **HB 2178**.

Health and Human Services: **HB 2183, HB 2184, HB 2187.**  
 Judiciary: **HB 2182, HB 2188; SB 8, SB 18, SB 20; SCR 1601.**  
 Local Government: **HB 2185.**  
 Taxation: **HB 2186.**  
 Transportation: **HB 2176, HB 2177; HCR 5008.**  
 Utilities and Telecommunications: **HB 2191.**

### **CHANGE OF REFERENCE**

Speaker Merrick announced the withdrawal of **HB 2003** from Committee on Education and referral to Committee on Education Budget.

Also, the withdrawal of **HB 2129** from Committee on Local Government and referral to Committee on Elections.

Also, the withdrawal of **HB 2160** from Committee on Health and Human Services and referral to Committee on Social Services Budget.

### **COMMUNICATIONS FROM STATE OFFICERS**

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, pursuant to K.S.A. 66-117b, 2013 Utilities and Common Carriers Annual Report.

From Sandy Praeger, Commission of Insurance, Kansas Insurance Department, in accordance with K.S.A. 44-566(a), The Kansas Workers' Compensation Fund, year end report, FY 2012.

From Lawron R. Nuss, Chief Justice, Supreme Court of Kansas, pursuant to K.S.A. 20-320, State of the Judiciary, 2013. An electronic copy may be found at <http://www.kscourts.org/State-of-Judiciary/>.

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

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

On motion of Rep. Sutton, **HR 6005**, A resolution recognizing National Catholic Schools Week, was adopted.

### **CONSENT CALENDAR**

No objection was made to **HB 2006** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

Speaker Merrick announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

### **REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **HB 2028** be amended on page 1, in line 25, by striking "may hold a hearing and shall determine whether, upon"; by striking all in line 26; in line 27, by striking "require the transfer of" and inserting "shall transfer"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

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

**Request No. 7**, by Representative Victors, commending Wichita Intertribal Warrior Society for their outstanding service to our Country and Native American Communities;

**Request No. 8**, by Representative Victors, commending Haskell Indian University Veterans' Color Guard for their outstanding service to our Country and Native American Communities;

**Request No. 9**, by Representative Victors, commending Prairie Band Post 410 Potawatomi Honor Guard for their outstanding service to our Country and Native American Communities;

**Request No. 10**, by Representative Victors, commending Kickapoo Legion Post 415 Honor Guard for their outstanding service to our Country and Native American Communities;

**Request No. 11**, by Representative Victors, commending Iowa Tribe of Kansas and Nebraska Honor Guard for their outstanding service to our Country and Native American Communities;

**Request No. 12**, by Representative O'Brien, congratulating Brian Kroll, of Tonganoxie High School, for being named Kansas Small School Soccer Coach of the Year;

**Request No. 13**, by Representative O'Brien, congratulating Tonganoxie High School Boys' Soccer Team for being named Kaw Valley League 2012 Boys' Soccer Champions;

**Request No. 14**, by Representative O'Brien, congratulating Coach Steve Harrell in recognition for Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 15**, by Representative O'Brien, congratulating Hannah Pray in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 16**, by Representative O'Brien, congratulating Austin Harris in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 17**, by Representative O'Brien, congratulating Hunter Cook in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 18**, by Representative O'Brien, congratulating Christopher Tiner in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 19**, by Representative O'Brien, congratulating Annie Holton in recognition for being a member of the Class 4A State Champion Debate Team of Tonganoxie High School;

**Request No. 20**, by Representatives Grant and Menghini, congratulating Sandy Horton on his retirement as Sheriff of Crawford County for the past seventeen years and on his thirty-three years of service to the citizens of Crawford County;

**Request No. 21**, by Representative Mast, congratulating Robert John Kuhn on achieving the rank of Eagle Scout;

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

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

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

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

**HB 2199**, AN ACT enacting the second amendment protection act, by Representatives Rubin, Alford, Boldra, Bradford, Brunk, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Corbet, Couture-Lovelady, Crum, DeGraaf, Edwards, Esau, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Jones, Kelley, Macheers, Mast, McPherson, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Read, Rothlisberg, Ryckman Sr., Sawyer, Schwab, Sutton, Todd, Waymaster and Whipple.

**HB 2200**, AN ACT concerning the executive branch chief information technology officer; relating to duties; transferring certain powers, duties and functions of the director of information systems and communications, the division of information systems and communications and the secretary of administration to the executive chief information technology officer and the office of information technology services; amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-9303, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-4704, 75-4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715, 75-4716, 75-6512 and 76-389 and K.S.A. 2012 Supp. 46-1503, 74-9304, 74- 9306, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204 and 75-7205 and repealing the existing sections, by Committee on General Government Budget.

**HB 2201**, AN ACT concerning telecommunications; relating to the state corporation commission, regulation; concerning the Kansas universal service fund, eligibility and disbursements; establishing the telecommunications study committee; amending K.S.A. 66-1,188, 66-2002, 66-2003 and 66-2007 and K.S.A. 2012 Supp. 66-1,187, 66-2005, 66-2006, 66-2008 and 66-2009 and repealing the existing sections, by Committee on Utilities and Telecommunications.

**HB 2202**, AN ACT concerning transportation; relating to motor carrier regulations, by Committee on Agriculture and Natural Resources.

**HB 2203**, AN ACT concerning civil procedure; relating to exercise of religion, by Representatives Kinzer, Alford, Boldra, Bradford, Brunk, Christmann, DeGraaf, Dove, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Howell, Huebert, Kahrs, Kelley, Macheers, Mast, McPherson, Meigs, Montgomery, O'Brien, Osterman, Pauls, Peck, Petty, Powell, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Siegfried and Sutton.

**HB 2204**, AN ACT concerning civil procedure; relating to redemption of real property; amending K.S.A. 2012 Supp. 60-2414 and repealing the existing section, by Committee on Judiciary.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 4, 2013.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

