

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 8, 2013, 11:00 a.m.

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

The roll was called with 121 members present.

Rep. Shultz was excused on legislative business.

Reps. Edmonds, Hermanson and Houston were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Ben Saucedo, associate pastor, Temple Baptist Church, Wichita, and guest of Rep. Howell:

Dear Heavenly Father,

We come to you on this final day of the week and ask for your wisdom, grace, and peace to be upon this body. As they take action today that places many Kansans' lives in their hands, we pray that they would seek you in each decision they make. May they remember that it is You Who has made this country and state great, not man. Guide them today, and we ask this in the name of Your Son, Jesus. Amen.

The Pledge of Allegiance was led by Rep. Houser.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5014**—
By Committee on Energy and Environment

A CONCURRENT RESOLUTION urging the Department of State and the White House to approve the Presidential Permit application allowing the construction and operation of the TransCanada Keystone XL Pipeline between the United States and Canada in order to strengthen United States energy security, to provide for critical pipeline infrastructure, to achieve North American energy independence and to stimulate the American economy and create jobs.

WHEREAS, The United States accounts for 20% of world energy consumption, which makes it the world's largest petroleum consumer. The United States consumes more than 18 million barrels of oil each day, with forecasts indicating this will not

change for decades. Current imports amount to more than eight million barrels each day which is approximately 50% of the requirements of the United States; and

WHEREAS, Even with new technology, oil discoveries, alternative fuels and conservation efforts, the United States will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food and drive their vehicles, but to enable the United States economy to thrive and grow, free from the potential threats and disruptions of an unreliable crude oil supply from less secure parts of the world; and

WHEREAS, The increasing production of conflict-free oil from Canadian oil sands can both replace crude oil imported from countries that do not share American values and add additional pipeline capacity to refineries in the United States Midwest and Gulf Coast; and

WHEREAS, Increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the United States and some of the most stringent human rights and worker protection laws in the world; and

WHEREAS, The 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day, or half of the refining capacity of the United States. In 2011, these refineries imported approximately 5 million barrels per day of crude oil from more than 30 countries, with the top five suppliers being Canada with 24%, Mexico with 22%, Saudi Arabia with 17%, Venezuela with 16% and Nigeria with 9%. Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL and Gulf Coast Expansion projects could displace roughly 40% of the oil the United States currently imports from the Persian Gulf and Venezuela; and

WHEREAS, The Keystone XL Pipeline project, which has been subject to the most thorough public consultation process of any proposed United States pipeline and the subject of multiple environmental impact statements and several United States Department of State studies, poses a minimal impact to the environment and is much safer than other modes of transporting crude oil; and

WHEREAS, Pipelines are the safest method for the transportation of petroleum products when compared to other methods of transportation. Pipelines are 40 times safer than moving crude oil by rail and 100 times safer than transportation by truck. The Keystone XL Pipeline will replace the equivalent of a tanker train 25 miles long or 200 ocean tankers per year; and

WHEREAS, The Keystone XL project will create approximately 9,000 jobs during construction, and the related \$2.3 billion Gulf Coast Project will create approximately 4,000 construction jobs. Combined, the projects will support an additional 7,000 manufacturing jobs. Furthermore, 75% of the pipe used to build Keystone XL in the United States will come from North American mills, with half being made by workers in the United States, and goods for the pipeline valued at approximately \$800 million have already been sourced from United States manufacturers: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge the President of the United States to support the continued and increased importation of oil derived from Canadian oil sands; and that we urge the United States Secretary of State to approve the newly-routed pipeline application from TransCanada in order to reduce dependence on unstable governments,

improve our national security and strengthen ties with an important ally.

Be it further resolved: That the Secretary of State be directed to provide an enrolled copy of this resolution to the President of the United States, the United States Secretary of State and each member of the Kansas Congressional Delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2391, HB 2392.**

Corrections and Juvenile Justice: **HB 2393, HB 2394.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 176, SB 216.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 176, SB 216.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2296, AN ACT concerning campaign finance; relating to uses of campaign funds; amending K.S.A. 2012 Supp. 25-4157a and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Peterson, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bridges.

Present but not voting: None.

Absent or not voting: Edmonds, Hermanson, Houston, Shultz.

The bill passed.

HB 2319, AN ACT creating the coalition of innovative districts act, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 47; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcala, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Christmann, Clayton, Davis, Dierks, Dillmore, Doll, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Hineman, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Peterson, Rooker, Ruiz, Sawyer, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Edmonds, Hermanson, Houston, Shultz.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: While I am in favor of innovation in our public schools, I believe that **HB 2319** is not the answer. It allows a few school districts to ignore state laws including:

Mileage restrictions for busing students from other districts

Curriculum policies

Teacher input

Due Process

Attendance Requirements

and the Kansas Open Meeting Law.

If we truly care about our children, we should stop choosing the wealthy and big business over our public schools and fund public education sufficiently. Let all schools have the resources to be innovative. I respectfully vote "No." – ED TRIMMER, ANNIE TIETZE

TIETZE

MR. SPEAKER: While I am strongly supportive of the idea of increasing innovation in education, I am forced to vote against this bill because of the unnecessary provision of the bill which would exempt innovative public school districts from all state laws, rules, and regulations. Unfortunately, an amendment favored by the major Proponents of the bill, which would have resolved major problems with the bill, was defeated.

The problems remaining include: existing teacher contracts rendered void, exemption from the state assessment requirements, the allowance of non-certified teachers, denial of worker due process rights, and exemption of collective bargaining for teacher working conditions. I vote NO on **HB 2219**. – NANCY LUSK, JULIE MENGhini, EMILY PERRY, PATRICIA M. SLOOP, CAROLYN L. BRIDGES, VIRGIL WEIGEL, SYDNEY CARLIN

MR. SPEAKER: I vote NO on **HB 2319**. I support innovation but oppose ignoring testimony of proponents who emphasize that cohesion between Administrators and

teachers is MORE important to student achievement than exemption from rules and regulations.

We develop policies based on public testimony. For **HB 2319** voices in the dark who are more interested in denying due process for teachers carry more weight than those who publicly testify.

Quality teachers will not remain in districts where they have no rights. In **HB 2319** you can hire non-certified teachers. You wouldn't seek medical services from unlicensed doctors, your children's education should not be an experimentation with non-certified teachers. — VALDENIA C. WINN, BRODERICK HENDERSON, GAIL FINNEY

MR. SPEAKER: I support innovation in our public schools, but cannot support **HB 2319**. We currently allow public school districts to operate on waivers for the purpose of innovation. Three currently do so. These superintendents testified in committee that they cannot name state regulations they wish to be freed from in order to better serve their students. The bill removes the following regulations:

Mileage restrictions for busing students from other districts

Teacher certification requirements

Curriculum policies

Teacher input

Due Process

Attendance Requirements

and the Kansas Open Meeting Law.

I do not believe this is in the best interests of our students, therefore I vote no on **HB 2319**. — MELISSA ROOKER

MR. SPEAKER: School districts deserve the ability to be innovative, which is especially paramount as we seek to give more local control to our school districts and allow them to be more child centric. This bill will help existing schools attract and keep the best and brightest teachers and allow curriculum and learning opportunities not found under the current system. Innovative school districts will have the flexibility to tailor their policies to best meet the needs of children. In the end, that is what this vote is about, the children. For that reason, I vote YES for our children and **HB 2319**. — KEN CORBET, RONALD L. HIGHLAND, MARTY READ, MIKE HOUSER, ALLEN ROTHLSBERG, KEVIN JONES, JACK THIMESCH, KYLE HOFFMAN, TROY WAYMASTER, JOSH POWELL

On motion of Rep. Vickrey, the House resolved into the Committee of the Whole, with Rep. Seiwert in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2234** be adopted; also, on motion of Rep. Proehl be amended on page 2, in line 37, by striking the first comma and inserting "and"; also in line 37, by striking "and other resources";

On page 3, in line 3, before "highways" by inserting "projects which connect the turnpike to the";

Roll call was demanded on motion of Rep. Grant to amend **HB 2234** on page 3, following line 28, by inserting:

"Sec. 3. K.S.A. 68-2004 is hereby amended to read as follows: 68-2004. (a) The authority is hereby authorized and empowered to:

- (1) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) adopt an official seal and alter the same at pleasure;
- (3) maintain an office at such place or places within the state as it may designate;
- (4) sue and be sued in its own name, plead and be impleaded;
- (5) determine the location, subject to the approval of the secretary of transportation, of each turnpike project financed under the provisions of this act, determine its design and the materials of construction, and construct, maintain, repair and operate the same;
- (6) issue turnpike revenue bonds of the authority for any of its corporate purposes, payable solely from the tolls and revenues pledged for their payment, and to refund its bonds, all as provided in this act;
- (7) fix and revise from time to time and charge and collect tolls, except as provided in K.S.A. 68-2009, and amendments thereto, for transit over each turnpike project constructed by it;
- (8) adopt rules and regulations for the use of any such turnpike project, and adopt rules and regulations for traffic control on such project;
- (9) acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;
- (10) designate the locations, and establish, limit and control such points of ingress to and egress from each turnpike project as may be necessary or desirable in the judgment of the authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated;
- (11) make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act;
- (12) employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation;
- (13) receive and accept from any federal agency grants for or in aid of the construction of any turnpike project, and to receive and accept aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made; and
- (14) do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

(b) Violation of any of the rules and regulations adopted under this section shall be unlawful and subject to the penalties contained in K.S.A. 8-2116, and amendments thereto.

Sec. 4. K.S.A. 68-2009 is hereby amended to read as follows: 68-2009. (a) (1) The authority is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, motor fuel filling stations, garages, and restaurants, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use. All contracts made by the authority for retail establishments or locations for retail establishments shall be

made separately for each retail establishment or location for a retail establishment and sealed bids shall be asked separately on each retail establishment or each location for a retail establishment by public offering duly advertised as provided by law for the advertising for bids on state highway construction projects and each such contract shall be let by the authority in like manner as provided by law for the letting of highway construction contracts by the secretary of transportation. Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the turnpike project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any, to pay ~~(a)~~ the cost of maintaining, repairing and operating such turnpike project or projects and ~~(b)~~ the principal of and the interest on such bonds as the same shall become due and payable, and to create reserves for such purposes.

(2) On and after July 1, 2013, the Kansas legislature shall have the sole authority to fix and revise tolls for the use of each turnpike project and the different parts thereof. Tolls which are in effect on June 30, 2013, shall remain in effect until revised by the Kansas legislature through legislative enactment. Nothing in this section shall be construed to limit the authority's ability to charge and collect such tolls which have been set by the legislature.

(b) Such tolls shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the state. The tolls and all other revenues derived from the turnpike project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made; the tolls or other revenues or other moneys so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the authority. The use and disposition of moneys to the credit of such sinking fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such sinking fund shall be a fund for all such bonds without distinction or priority of one over another.";

Also on page 3, in line 29, after "68-2003," by inserting "68-2004, 68-2009,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "transportation;" by inserting "powers and duties, fixing tolls;"; also in line 4, after "68-2003" by inserting ", 68-2004, 68-2009"

On roll call, the vote was: Yeas 34; Nays 85; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Gonzalez, Grant, Henderson, Henry, Hibbard, Hill, Kuether, Lane, Lusk, Meier, Menghini, Pauls, Perry, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Petty, Phillips, J. Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Bruchman, Edmonds, Hermanson, Houston, Peterson, Shultz.

The motion of Rep. Grant did not prevail.

On motion of Rep. Edwards to lay **HB 2234** on the table, the motion did not prevail. (No point of order was made to the motion to table under House Rule 1907).

On motion of Rep. Meier to refer **HB 2234** to Committee on Transportation and Public Safety Budget, the motion did not prevail.

On motion of Rep. Menghini, **HB 2234** be amended as amended by House Committee of the Whole, in the amendment adopted on motion of Representative Proehl, # fa_2013_hb2234_h_1509, after "projects" by inserting "not to exceed 10 miles"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education Budget** recommends **HB 2003** be amended on page 4, in line 28, by striking "\$4,241" and inserting "\$4,264"; also in line 28, by striking "2012-2013" and inserting "2013-2014"; in line 29, by striking "2013-2014" and inserting "2014-2015"; also in line 29, by striking "2014-2015" and inserting "2015-2016";

On page 5, in line 40, after "22.5%" by inserting "for school year 2013-2014 and school year 2014-2015 and 25% for school year 2015-2016 and each school year thereafter";

On page 6, in line 4, by striking "28%" and inserting "17.9% for school year 2013-2014 and school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter"; in line 11, by striking "each"; also in line 11, after "year" by inserting "2013-2014 and school year 2014-2015"; in line 13, by striking "27%" and inserting "17%"; in line 15, by striking "each"; also in line 15, after "year" by inserting "2013-2014 and school year 2014-2015"; in line 16, by striking "27%" and inserting "17%";

Also on page 6, following line 18, by inserting:

"(3) In school year 2015-2016 and each school year thereafter, the board of any district may adopt a local operating budget which does not exceed the state prescribed percentage.";

Also on page 6, in line 19, by striking "(1)";

On page 7, in line 40, after "(b)(2)" by inserting "or (b)(3)";

On page 9, following line 41, by inserting:

"(C) This paragraph shall expire on June 30, 2015.";

On page 18, in line 26, by striking "28%" and inserting "17.9% for school year 2013-2014 and school year 2014-2015 and 31% for school year 2015-2016 and each school year thereafter"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2253** be amended on page 2, in line 32, by striking "volunteer" and inserting "agent"; in line 38, after "employee" by inserting ", agent";

On page 3, following line 11, by inserting:

"New Sec. 9. (a) The secretary of the department of health and environment may authorize and oversee certain activities, including the awarding of grants, contracts or cooperative agreements to eligible entities to:

(1) Collect, synthesize and disseminate current evidence-based information relating to Down syndrome or other prenatally or postnatally diagnosed conditions; and

(2) coordinate the provision of, and access to, new or existing supportive services for women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child, including, but not limited to:

(A) The establishment of a resource telephone hotline or website accessible to women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(B) the development of outreach programs to new and expecting parents to provide them with up-to-date information on the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes;

(C) the development of local peer support programs to effectively serve women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(D) the establishment of a network of local registries of families willing to adopt newborns with Down syndrome or other prenatally or postnatally diagnosed conditions, and links to adoption agencies willing to place babies with Down syndrome or other prenatally or postnatally diagnosed conditions with families willing to adopt; and

(E) the establishment of awareness and education programs for health care providers who provide, interpret or inform parents of the results of prenatal tests for Down syndrome or other prenatally or postnatally diagnosed conditions to patients.

(b) A grantee under this section shall make the following available to health care providers of parents who receive a prenatal or postnatal diagnosis for their child:

(1) Up-to-date, evidence-based, written information concerning the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes;

(2) contact information regarding support services, including information hotlines and websites specific to Down syndrome or other prenatally or postnatally diagnosed conditions, resource centers or clearinghouses, local peer support groups and other education and support programs.

(c) Information provided under this subsection shall be culturally and linguistically appropriate as needed by women and the spouses of such women who receive a positive diagnosis for Down syndrome or other prenatally or postnatally diagnosed conditions for their child, and approved by the secretary.

(d) In distributing funds under this section, the secretary shall place an emphasis on funding partnerships between health care professional groups and disability advocacy organizations.

(e) On or before January 12, 2015, the secretary shall prepare and submit a report to the governor and the legislature on the grants, contracts and cooperative agreements made under this section and the effectiveness of the programs supported by such grants, contracts and cooperative agreements.

(f) As used in this section:

(1) "Down syndrome" means a chromosomal disorder caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

(2) "Eligible entity" means the state, or any political subdivision thereof, or any other entity with appropriate expertise in prenatally and postnatally diagnosed conditions, as determined by the secretary.

(3) "Health care provider" shall have the same meaning as that term is defined in K.S.A. 40-3401, and amendments thereto.

(4) "Postnatally diagnosed condition" means any health condition identified during the 12-month period beginning at birth.

(5) "Prenatally diagnosed condition" means any fetal health condition identified by prenatal genetic testing or prenatal screening procedures.

(6) "Prenatal test" means diagnostic or screening tests offered to pregnant women seeking routine prenatal care that are administered on a required or recommended basis by a health care provider based on medical history, family background, ethnic background, previous test results or other risk factors.

(7) "Secretary" means the secretary of the department of health and environment.";

On page 10, in line 16, by striking "and" and inserting a comma; in line 17, after "services" by inserting "and a listing of websites for national perinatal assistance";

On page 13, following line 23, by inserting:

"(1) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed that has a website shall publish an easily identifiable link on the homepage of such website that directly links to the department of health and environment's website that provides informed consent materials under the woman's-right-to-know act. Such link shall read: "The Kansas Department of Health and Environment maintains a website containing objective, nonjudgmental, scientifically accurate information about the development of the unborn child, as well as video of sonogram images of the unborn child at various stages of development. The Kansas Department of Health and Environment's website can be reached by clicking here."";

And by redesignating remaining subsections accordingly;

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 1, after the second semicolon, by inserting "relating to prenatally and postnatally diagnosed conditions;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2182**, be amended as recommended by Committee on Judiciary as reported in the Journal of the House on February 28, 2013, and the bill, as printed with amendments by House Committee, be further amended on page 1, in line 25, after "state" by inserting "the name, address and phone number of the person filing the petition,"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 55, by Representative Merrick, congratulating Glen Meeker, Fire Apparatus Operator, Johnson County Fire District No. 2 on his retirement on March 7, 2013 and his service to the citizens of Johnson County, Kansas for over 43 years;

Request No. 56, by Representative Howell, congratulating Caleb Jake Preston on achieving the rank of Eagle Scout;

Request No. 57, by Representative Ewy, congratulating Noah Day on achieving the rank of Eagle Scout;

Request No. 58, by Representative Ewy, congratulating Colt Stairrett on achieving the rank of Eagle Scout;

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

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

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2395, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2012 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Appropriations.

HB 2396, AN ACT concerning state property; relating to surplus real estate; identifying real estate as surplus property; allowing the sale of certain surplus real estate by the secretary of administration; appeals of surplus determination; amending K.S.A. 2012 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2012 Supp. 75-6609a, by Committee on Appropriations.

HB 2397, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; establishing the Kansas death penalty abolition fund; amending K.S.A. 22-3405, 22-3705 and 22-4210 and K.S.A. 2012 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6626, 21-6628, 21-6629, 21-6806, 22-3717, 22-3728, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 21-5401, 21-6617 and 21-6619, by Committee on Federal and State Affairs.

HB 2398, AN ACT concerning limited liability companies; concerning the Kansas revised limited liability company act; amending K.S.A. 17-7662, 17-7664, 17-7666, 17-7668, 17-7670, 17-7671, 17-7672, 17-7673, 17-7674, 17-7676, 17-7677, 17-7679, 17-7680, 17-7683, 17-7686, 17-7687, 17-7688, 17-7689, 17-7690, 17-7691, 17-7693, 17-

7695, 17-7697, 17-7698, 17-76,100, 17-76,103, 17-76,104, 17-76,105, 17-76,106, 17-76,107, 17-76,110, 17-76,112, 17-76,113, 17-76,114, 17-76,115, 17-76,116, 17-76,117, 17-76,118, 17-76,119, 17-76,121, 17-76,121a, 17-76,122, 17-76,123, 17-76,124, 17-76,125, 17-76,126, 17-76,127, 17-76,128, 17-76,130, 17-76,131, 17-76,133, 17-76,134, 17-76,136, 17-76,137, 17-76,139 and 17-76,140; K.S.A. 2011 Supp. 84-9-406, as amended by section 8 of chapter 84 of the 2012 Session Laws of Kansas, and 84-9-408, as amended by section 9 of chapter 84 of the 2012 Session Laws of Kansas, and K.S.A. 2012 Supp. 17-7663, 17-7675, 17-7678, 17-7681, 17-7682 and 17-76,143 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2241** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

COMMITTEE ASSIGNMENT CHANGE

Speaker Merrick announced the appointment of Rep. Burroughs to replace Rep. Whipple on Committee on Commerce, Labor and Economic Development for March 8.

REPORT ON ENGROSSED BILLS

HB 2319 reported correctly engrossed March 7, 2013.

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

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

