

# Journal of the House

## TWELFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 29, 2014, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Jennings and Peterson were excused on verified illness.

Rep. Shultz was excused on legislative business.

Reps. Hutton and Thimesch were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,  
Today as we celebrate the 153<sup>rd</sup> anniversary  
of the statehood of our great state,  
we would be remiss if we didn't pause to express  
our gratitude for the way You have watched over us  
and blessed us in so many different ways.  
From the four corners of the state—  
Elkhart to Reserve, St. Francis to Baxter Springs;  
from the farmland to the industrial plants,  
from the stockyards to Corporate Woods,  
You have blessed this state with hard-working,  
talented and gifted people  
with good old-fashioned work ethic and values.  
And these leaders gathered here have the wonderful privilege  
of representing these people.  
Today, Lord, remind them often of the great blessings they have.  
And may they be grateful and take seriously  
the responsibilities in making decisions that impact this whole state.  
I pray in Christ's Name, Amen

The Pledge of Allegiance was led by Rep. Bridges.

### SPECIAL CELEBRATION

In celebration of the 153<sup>rd</sup> birthday of Kansas, Rep. Ballard led the House in singing "Home on the Range."

**PERSONAL PRIVILEGE**

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

One year ago last Friday, our two granddaughters were in a very serious auto accident. Jordan and Bailey Carlson are doing great today. Bailey is paging for me today. She spent six weeks in a body brace, as she fractured every vertebrae in her back, but is now back to normal. We are so thankful to have these girls in our lives.

**PERSONAL PRIVILEGE**

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

I want to thank everyone in the House for all of the support, condolences and expressions of sympathy during this difficult time. My family and I greatly appreciate the cards, emails, phone calls and your presence at the visitation and funeral.

As you know, my wonderful wife, Nancy, lost her battle with pancreatic cancer. And, I want to thank the members here who have contributed in memory of Nancy to the Pancreatic Cancer Action Network. We must continue our research for a cure and for earlier and better detection so other victims and their loved ones will not experience this pain.

It's at a time like this we realize how important our friends are to us. This House is made up of kind, caring and decent people. I am most fortunate to have you as my colleagues and friends. God bless each and everyone of you.

**PERSONAL PRIVILEGE**

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

Thank you Mr. Speaker for allowing me to share a piece of Kansas History.

As a child I was always aware that my Father was born in Marquette, Kansas on June 20, 1920, but that was all of my family's history that I knew at the time.

Several years later in looking through some of my Grandmother's pictures I discovered a very old picture of a couple circa the 1800's. I discovered that it was a picture of my great-grandfather Andrew Jackson Collier and his wife Leodicsa and was taken by a photographer in Council Grove in Morris Count, Kansas.

I was intrigued and decided to investigate the history of this picture.

It seems that the city fathers of Council Grove held an election for city officials and that my great-grandfather was elected the first sheriff of Council Grove, Kansas. They were so excited about the beginning of statehood that they waited to be sworn in on January 29, 1861 and become part of history by being some of the first elected officials of the new state.

As I walk through this amazing building we know as our Kansas State Capitol and look at the many paintings that adorn its walls I think about my great-grandfather and the pioneers who came here with all of their belongings and a dream for a future for generations to come. I am proud to know that one of them was my great-grandfather and the celebration which we acknowledge today includes not only the officials of

many years ago but the generations that have come after.

Upon my election one of the first things that I wanted to do was stand in front of my great-grandfather's grave and say, "What do you think Grandpa?"

Thank you for allowing me to share this special part of history with you my honored colleagues.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2523**, AN ACT providing that certain expressions of apology, sympathy or compassion are not admissible as evidence of liability or as an admission against interest in malpractice claims against health care providers, by Committee on Health and Human Services.

**HB 2524**, AN ACT concerning the board of nursing; appointment; reinstatement of licenses; fees; amending K.S.A. 2013 Supp. 65-1118 and 74-1106 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2525**, AN ACT concerning the Kansas money transmitter act; concerning change in controlling interest; relating to notification of state bank commissioner; certain records not required to be open; amending K.S.A. 2013 Supp. 9-508, 9-509, 9-513c, 9-513d and 45-221 and repealing the existing sections, by Committee on Financial Institutions.

**HB 2526**, AN ACT concerning crimes and punishments; relating to assault; battery; unlawful interference with a firefighter; unlawful interference with an emergency medical services attendant; creating the crime of unlawful interference with a health care provider; amending K.S.A. 2013 Supp. 21-5412, 21-5413, 21-6325 and 21-6326 and repealing the existing sections, by Representatives Concannon, Crum, Finch, Gandhi, Gonzalez, Hill, Hineman, Jennings, Phillips, Rothlisberg, Rubin, Tietze, Trimmer and Waymaster.

**HB 2527**, AN ACT concerning school districts; relating to school safety and security policies and plans, by Committee on Veterans, Military and Homeland Security.

**HB 2528**, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2015, for the judicial branch, by Committee on Appropriations.

**HB 2529**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2014, June 30, 2015, June 30, 2016, June 30, 2017, and June 30, 2018, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2013 Supp. 12-5256, 79-34,156, 79-4227 and 79-4804 and repealing the existing sections, by Committee on Appropriations.

**HB 2530**, AN ACT concerning the Kansas uniform common interest owners bill of rights act; amending K.S.A. 2013 Supp. 58-4610 and repealing the existing section, by Representative Edwards.

**HB 2531**, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2013 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representatives Rubin, Alford, Anthimides, Ballard, Barker, Becker, Bridges, Campbell, Carlin, Carmichael, Dierks, Ewy, Finch, Finney, Goico, Gonzalez, Henry, Houston, Hutton, Kiegerl, Kuether, Lusk, Menghini, Osterman, Perry,

Phillips, Ryckman Jr., Sloan, Sloop, Thimesch, Tietze, Trimmer, Waymaster, Winn and Wolfe Moore.

**HB 2532**, AN ACT concerning crimes, punishment and criminal procedure; relating to assault and battery of sports officials; amending K.S.A. 2013 Supp. 21-5412 and 21-5413 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2533**, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system act of 2015; interest credits on annuity savings and retirement annuity accounts; distribution of member's mandatory contributions upon termination or death; payment of annuity upon retirement; amending K.S.A. 2013 Supp. 74-49,306, 74-49,308, 74-49,310, 74-49,311 and 74-49,313 and repealing the existing sections, by Committee on Pensions and Benefits.

**HB 2534**, AN ACT concerning certain municipalities; relating to the conversion of recreation commissions, by Committee on Local Government.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education: **HB 2521**.

Health and Human Services: **HB 2520**.

Local Government: **HB 2522**.

Pensions and Benefits: **HB 2519**.

#### REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2056** be amended as recommended by House Committee on Taxation as reported in the Journal of the House on March 25, 2013, and the bill as amended be further amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2056," as follows:

"Substitute for HOUSE BILL NO. 2056

By Committee on Taxation

"AN ACT concerning taxation; relating to permitted use of tax information; tax warrants; amending K.S.A. 2013 Supp. 75-5133, 79-3234 and 79-3235a and repealing the existing sections; also repealing K.S.A. 2013 Supp. 79-3235b."; and the substitute bill be passed.

(**Sub HB 2056** was thereupon introduced and read by title.)

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, January 30, 2014.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

