

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 7, 2015, 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. Anthimedes, Kelley, Sloan, Whipple and Winn were excused on excused absence by the Speaker.

Reps. Alcala and Goico were excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this day You have given us.
On this National Day of Prayer,
we recognize that You are the giver of life
and the source of our freedom.
We are reminded that Yours is
“the earth in its fullness;
the world and those who dwell in it.”
It is from Your hand that we have received
all that we are, all we have, and all we will be.
We understand that You call us to be stewards
of Your blessings,
the caretakers of all you have entrusted to us.
Help us to use your gifts wisely—
teach us to share them generously.
May our faithful stewardship bear witness
to the love of Your Son in our lives.
This I pray in Christ’s Name,
Amen.

The Pledge of Allegiance was led by Rep. Williams.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2432, AN ACT concerning hazardous waste; relating to fees and taxes for the thermal treatment of hazardous waste for energy recovery; powers and duties of the

secretary of health and environment, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 241, SB 248, SB 249, SB 250.**

Judiciary: **SB 255.**

Taxation: **HB 2431.**

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2319** from Committee on Taxation and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6025**, by Reps. Davis, Bruchman, Campbell, Lunn, Ryckman and Schwab, as follows, was introduced and adopted:

HR 6025—A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

WHEREAS, on April 18-20, 2015, the Olathe Public Schools ProStart Culinary Team, representing the entire State of Kansas, took first place among 48 teams from throughout the United States, as well as Japan and Germany, winning its third national championship at the 14th Annual ProStart Invitational in Anaheim, California; and

WHEREAS, ProStart is a nationwide program that unites the classroom and hospitality industry to develop the best and brightest talent into tomorrow's restaurant and hospitality industry leaders. The ProStart program is a two-year high school course currently offered at 30 Kansas schools. Students who pass two exams, demonstrate a mastery of foundational skills, and complete 400 hours of mentored work experience earn an industry-recognized certificate which can lead to scholarships and credits at more than 60 colleges and universities across the country; and

WHEREAS, the National ProStart Invitational is the country's premier high school competition focused on culinary arts and restaurant management. Teams must win their respective state competitions in order to move on to the national finals, where, after having invested more than 700 hours of practice, they are required to prepare a three-course meal in 60 minutes, using two butane burners and without access to running water or electricity. Teams are then judged based on creative abilities, skill, teamwork, safety, sanitation, and taste of the food; and

WHEREAS, The team's winning menu included: An appetizer consisting of spice-encrusted George's Bank scallops, avocado mosaic, citrus mango relish, tomato gremolata, mango reduction, and crisp microgreen salad; an entrée consisting of pignoli-encrusted pork tenderloin, rich veal reduction, vegetable bouquetiere, vanilla infused sunchoke puree, truffled spinach salad, and buttered potato croquette; and a dessert consisting of coconut chocolate Bavarian, spherical white chocolate orange

Bavarian, cashew crumb, raspberry coulis, and sugar-dipped cashew and vanilla tuile; and

WHEREAS, The team consisted of: Melinda Hrdy, team lead, senior, Olathe South High School; Michael Miller, senior, Olathe South High School; Ashleigh Hagen, junior, Olathe North High School; Haneen Ibrahim, senior, Blue Valley North High School; and Rachel Cormeny, senior, Olathe East High School; and

WHEREAS, For winning first place, each team member received a \$5,000 scholarship from the National Restaurant Association Educational Foundation and Coca-Cola, as well as a \$1,000 scholarship from the Burger King McLamore Foundation that can be used to further their education in the restaurant and food service industry. The team members plan to continue their education after high school. Melinda Hrdy and Haneen Ibrahim plan to attend the New England Culinary Institute; Michael Miller plans to attend Le Cordon Bleu College of Culinary Arts in Seattle; Rachel Cormeny plans to attend Johnson and Wales University in Denver; and Ashleigh Hagen plans to attend the Culinary Institute of America; and

WHEREAS, The first place Olathe Public Schools ProStart Culinary Team was led by Chef Mike Chrostowski, who is in his 10th year of teaching. Chef Mike encourages students to develop a passion for the industry, helps them find success in the industry, pushes them to achieve greatness, and helps them achieve goals that were once thought unattainable. Under Chef Mike's mentoring and assistance from Chef Philip Shaw, the Olathe Culinary Program has qualified for the national competition 10 years in a row and is the only team to stand on the podium as a top four finisher the last seven consecutive years. Chef Mike's passion and expertise have helped to make the culinary arts program at Olathe North High School one of the best examples of industry standards being integrated into a high school career technical education program: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the Olathe Public Schools ProStart Culinary Team for taking first place at the 14th Annual National ProStart Invitational in Anaheim, California, thereby serving as an example and a model to high schools across the United States for its dedication and excellence; and

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

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

This morning we would like to recognize and congratulate the Olathe Public Schools ProStart Culinary Team on winning its third national championship at the 14th Annual ProStart Invitational in Anaheim, California.

The ProStart invitational is the country's premier high school competition, which focuses on culinary arts and restaurant management. To qualify for the national competition, teams must first win their respective state competitions. At the national competition, teams are required to prepare a three-course meal in 60 minutes, using only two butane burners and have no access to running water or electricity. Teams are then judged on their creative abilities, skill, teamwork, safety, sanitation and taste of food. Achieving the highest honor of ProStart champion, teams must invest hundreds of

hours of practice, unwavering determination and a high level of skill.

This winning team is led by Chef Mike Chrostowski. Before coming to head the Olathe School District's 21st Century Culinary Program, Chef Mike managed some of the best restaurants in Kansas City as well as in Texas. This year marks Chef Mike's 10th year of teaching. His teaching career is riddled with many accomplishments, including receiving the 2014 National Cutting Edge award from The American Culinary Association. This year, Chef Mike was awarded with the Taste of Elegance award which was sponsored by the Missouri and Kansas Pork Association.

This is the 10th year in a row the Olathe Culinary Program has qualified for ProSmart Nationals, making this the only Program in the nation that has achieved this success. Team members for this year's winning team are:

Melinda Hrdy, Olathe (New England Culinary Institute)
 Haneen Ibrahim, Leawood (Le Cordon Blue Seattle)
 Michael Miller, Olathe (Johnson and Wales in Denver)
 Rachel Cormeny, Olathe (New England Culinary Institute)
 Ashleigh Hagen, Olathe (Culinary Institute of America)

Melinda Hrdy and Rachel Cormeny have the distinction of this being their second time to represent Olathe Culinary Program at the National ProStart Invitational where in 2014 both students placed 2nd.

Please join with us and congratulation Chef Mike and these students on their tremendous success and their winning the 2015 National ProStart Invitational.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2155** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as with Senate Committee of the Whole amendments (Corrected), as follows:

On page 7, in line 1, by striking all after "officials"; in line 2, by striking all before the colon;

On page 8, in line 28, by striking "calendar" and inserting "fiscal";

On page 12, in line 9, by striking "calendar" and inserting "fiscal";

On page 14, in line 22, by striking "calendar" and inserting "fiscal";

On page 26, by striking all in lines 15 through 43;

By striking all on pages 27 through 29;

On page 30, by striking all in lines 1 through 19;

On page 32, following line 5, by inserting:

"Sec. 23. K.S.A. 74-8720 is hereby amended to read as follows: 74-8720. (a) As nearly as practical, an amount equal to not less than 45% of the total sales of lottery tickets or shares, computed on an annual basis, shall be allocated for payment of lottery prizes.

(b) The prize to be paid or awarded for each winning ticket or share shall be paid to one natural person who is adjudged by the executive director, the director's designee or the retailer paying the prize, to be the holder of such winning ticket or share, or the person designated in writing by the holder of the winning ticket or share on a form satisfactory to the executive director, except that the prize of a deceased winner shall be

paid to the duly appointed representative of the estate of such winner or to such other person or persons appearing to be legally entitled thereto.

(c) The executive director shall award the designated prize to the holder of the ticket or share upon the validation of a claim or confirmation of a winning share. The executive director shall have the authority to make payment for prizes by any means deemed appropriate upon the validation of winning tickets or shares.

(d) The right of a person to a prize drawn or awarded is not assignable.

(e) No person under 18 years of age shall be eligible to claim a lottery prize.

~~(e)~~ (f) All prizes awarded shall be taxed as Kansas source income and shall be subject to all state and federal income tax laws and rules and regulations. State income taxes shall be withheld from prizes paid whenever federal income taxes are required to be withheld under current federal law.

~~(f)~~ (g) Unclaimed prize money not payable directly by lottery retailers shall be retained for the period established by rules and regulations and if no claim is made within such period, then such unclaimed prize money shall be added to the prize pools of subsequent lottery games.

~~(g)~~ (h) The state of Kansas, members of the commission and employees of the Kansas lottery shall be discharged of all further liability upon payment of a prize pursuant to this section.

~~(h)~~ (i) The Kansas lottery shall not publicly disclose the identity of any person awarded a prize except upon written authorization of such person.";

Also on page 32, in line 6, after "74-8718" by inserting ", 74-8720"; in line 7, by striking ", 74-8702";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, after "74-8718" by inserting "and 74-8720"; in line 4, by striking ", 74-8702";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

JAKE LATURNER

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

STEVEN R. BRUNK

TRAVIS COUTURE-LOVELADY

ANNIE TIETZE

Conferees on part of House

On motion of Rep. Brunk, the conference committee report on **HB 2155** was adopted.

On roll call, the vote was: Yeas 98; Nays 21; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton,

Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleebl, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Phillips, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barton, Bridges, Carmichael, DeGraaf, Finney, Garber, Highberger, Houston, K. Jones, Kahrs, Macheers, Ousley, Peck, Powell, Rhoades, Sawyer, Scapa, Schroeder, Victors, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Kelley, Sloan, Whipple, Winn.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2224, H Sub for SB 12, H Sub for SB 112, HB 2049, SB 290, H Sub for SB 91, SB 276, SB 105, SB 14, HB 2365, SB 34.**

On motion of Rep. Vickrey, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Mast in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Schwab moved that the House reconsider its adverse action in not adopting the conference committee report on **HB 2165** (see HJ, page 714).

The motion did not prevail.

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

COMMITTEE OF THE WHOLE

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

Recommended that **SB 290, SB 276, SB 105, SB 14** be passed.

Committee report recommending a substitute bill to **Sub HB 2224** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 12** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 112** be adopted; and the substitute bill be passed.

On motion of Rep. Sutton to amend **HB 2049**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Wilson to amend **HB 2049**, Rep. Rubin 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. Wilson to amend **HB 2049** on page 1, following line 5, by inserting:

"Section 1. The provisions of sections 1 through 11, and amendments thereto, shall be known and may be cited as Otis's law.

Sec. 2. As used in sections 1 through 11, and amendments thereto, unless the context requires otherwise:

(a) "Cannabis" means all parts of all varieties of the plant cannabis sativa L. not exceeding 3% tetrahydrocannabinol by weight.

(b) "Cardholder" means a patient or a designated caregiver to whom the department has issued a hemp preparation registration card or who has documentation that is deemed to be a hemp preparation registration card.

(c) "Designated caregiver" means a person who:

(1) Is either at least 21 years of age or a parent of a patient;

(2) has significant responsibility for managing the well-being of a patient; and

(3) has been approved by the department to assist a patient in obtaining hemp preparations.

(d) "Department" means the department of health and environment.

(e) "Hemp preparation" means:

(1) Cannabis plant material that is no more than 3% tetrahydrocannabinol by weight; or

(2) an extract, mixture or preparation containing cannabis plant material that is no more than 3% tetrahydrocannabinol by weight.

(f) "Hemp preparation center agent" means an owner, officer, board member, employee, volunteer, contractor, property owner or landlord of a registered hemp preparation center.

(g) "Medical hemp establishment" means a registered hemp preparation center or a registered hemp testing laboratory.

(h) "Medical use" includes the acquisition, administration, delivery, possession, purchase, transfer, transportation or use of hemp preparations and paraphernalia relating to the administration of hemp preparations to treat or alleviate a patient cardholder's qualifying medical condition.

(i) "Parent" means a parent or legal guardian responsible for the medical care of a patient under the age of 18.

(j) "Patient" means an individual who has been diagnosed with a qualifying medical condition.

(k) "Physician" means a person who is licensed by the state board of healing arts to practice medicine and surgery.

(l) "Qualifying medical condition" means a condition causing seizures, including those characteristic of epilepsy.

(m) "Registered hemp preparation center" means an entity registered pursuant to section 9, and amendments thereto, that acquires, possesses, cultivates, transports and manufactures cannabis, hemp preparations and related paraphernalia and transfers, transports, sells, supplies or dispenses hemp preparations, paraphernalia related to hemp preparations and related supplies and educational materials to cardholders, visiting cardholders and other registered hemp preparation centers.

(n) "Registered testing laboratory" means an entity registered pursuant to section 9,

and amendments thereto, to analyze the safety and potency of hemp.

(o) "Registration card" means a card issued by the department pursuant to section 3, and amendments thereto.

(p) "Testing laboratory agent" means an owner, officer, board member, employee, volunteer, contractor, property owner or landlord of a registered testing laboratory.

(q) "Written certification" means a document signed and dated by a physician stating that, in the physician's professional opinion, the patient may receive therapeutic or palliative benefit from the medical use of hemp preparations to treat or alleviate the patient's qualifying medical condition or symptoms associated with such patient's qualifying medical condition.

(r) "Visiting cardholder" means a person who:

(1) Has been diagnosed with a qualifying medical condition or is the parent, child, sibling, spouse, domestic partner, grandparent, grandchild or personal aide of an individual who has been diagnosed with a qualifying medical condition;

(2) possesses a valid registration card, its equivalent or other documentation that allows the person to possess hemp preparations in another jurisdiction pursuant to the laws of the other state, district, territory, commonwealth, insular possession of the United States or country recognized by the United States;

(3) is not a resident of Kansas or has been a resident of Kansas for less than 30 days; and

(4) has submitted any required documentation with the department, if the department has required registration.

Sec. 3. (a) The department shall issue a hemp preparation registration card to each individual who is over the age of 18 who:

(1) Provides the department with a written certification signed by a physician that was issued within 90 days immediately preceding the date of an application;

(2) pays the department a fee in an amount established by the department pursuant to section 5, and amendments thereto; and

(3) submits an application or renewal to the department on a form created by the department that contains:

(A) The individual's name and address;

(B) a copy of the individual's valid photo identification; and

(C) any other information the department reasonably considers necessary to implement the provisions of this section.

(b) The department shall issue a hemp preparation registration card to each individual who is under the age of 18 whose parent:

(1) Submits the information required of patients over the age of 18 according to subsection (a); and

(2) agrees to serve as a designated caregiver for the patient.

(c) Except as provided in subsection (d), the department shall issue a hemp preparation registration card to each designated caregiver applicant who:

(1) Is designated in a patient's application; and

(2) submits an application to the department on a form created by the department that contains:

(A) The applicant's name and address;

(B) the patient's name;

(C) a copy of the designated caregiver's valid photo identification; and

(D) any other information the department reasonably considers necessary to implement the provisions of this section.

(d) A patient may designate only one caregiver at any given time unless the patient or such patient's parent submits documentation demonstrating that a greater number of designated caregivers are needed due to the patient's age or medical condition.

(e) The department shall, not later than 30 calendar days after the date of the receipt of the completed application materials, approve the application and issue to the applicant a registration card with a unique, random identification number.

(f) Until the department issues, renews or denies a registration card, a copy of the individual's application, a copy of the patient's written certification and proof that the application was submitted to the department shall be deemed a registration card.

(g) Until the department makes applications available, a valid, written certification issued within the previous year shall be deemed a registration card for a patient.

(h) Until the department makes applications available, the following shall be deemed a designated caregiver registration card:

(1) A copy of a patient's valid written certification issued within the previous year; and

(2) a signed affidavit attesting that the person has significant responsibility for managing the well-being of the patient and that the person has been chosen to assist a patient in obtaining hemp preparations.

(i) Except as provided in this subsection, the expiration date of a registration card shall be one year after the date of issuance. If a physician states in the written certification that a patient would benefit from hemp preparations until a specified earlier date, then the registration card shall expire on that date.

Sec. 4. (a) The department shall maintain a confidential list of all cardholders and each cardholder's address and registry identification number. This confidential list shall not be combined or linked in any manner with any other list or database, nor shall it be used for any purpose not provided for in sections 1 through 11, and amendments thereto.

(b) The department shall treat written certifications, applications, renewals, supporting information, the names of applicants, cardholders, visiting cardholders and physicians and related records as protected health information under the health insurance portability and accountability act of 1996 (public law 104-191), exempt from disclosure under the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto, and not subject to disclosure to any individual or public or private entity, except as provided in this section.

(c) Nothing in this section shall preclude the following:

(1) Authorized employees of the department accessing the information to perform official duties pursuant to this act;

(2) department employees notifying state or local law enforcement about falsified or fraudulent information submitted to the department or of other apparent criminal violations of this act;

(3) department employees notifying the state board of healing arts if the department has reasonable suspicion to believe a physician violated the standard of care or for other suspected violations of this act by a physician;

(4) the department verifying registration cards pursuant to subsection (d);

(5) at a cardholder's request, the department confirming such cardholder's status as

a cardholder to a third party, such as a landlord, school, medical professional or court; and

(6) provided that no identifying information pertaining to cardholders, visiting cardholders, or physicians is disclosed:

(A) The department may release data that was voluntarily submitted by cardholders and visiting cardholders on the effectiveness and any side effects of medical hemp preparations to researchers at institutions of higher education; and

(B) the department may release information on the number of patients and designated caregivers approved, the number of registry identification cards revoked and aggregate information from voluntary reports on the effectiveness of medical hemp preparations and any side effects patients have experienced.

(d) Within 120 days of the effective date of this act, the department shall establish a secure phone or web-based verification system. Such verification system must allow law enforcement personnel, medical hemp establishments and medical hemp establishment agents to enter a registry identification number and determine whether or not the number corresponds with a current, valid registration card. The system may disclose only whether the registration card is valid, the name of the cardholder and whether the cardholder is a registered patient or a designated caregiver. The department may also include visiting cardholders in the database.

Sec. 5. (a) Not later than 120 days after the effective date of this act, the department shall promulgate rules and regulations:

(1) Establishing the form and content of registration and renewal applications submitted under this act;

(2) establishing the form and content of registration cards;

(3) determining the number of testing laboratories that will be allowed in the state, which may not be fewer than two;

(4) determining the number of hemp preparation centers that will be allowed in the state, which shall be:

(A) No fewer than is reasonably necessary to ensure safe, steady access to hemp preparations to cardholders located throughout the state; and

(B) no fewer than a total of three;

(5) establishing a system to numerically score competing medical hemp establishment applicants that must include analysis of:

(A) in the case of hemp preparation centers, the suitability of the proposed location and its accessibility for patients;

(B) the character, veracity, background and relevant experience of principal officers and board members; and

(C) the business plan proposed by the applicant, which in the case of hemp preparation centers shall include the ability to maintain an adequate supply of hemp preparations, plans to ensure safety and security of patrons and the community and procedures to be used to prevent diversion;

(6) governing the manner in which it shall consider applications for and renewals of registration cards, which may include creating a standardized written certification form;

(7) governing medical hemp establishments to prevent diversion and theft without imposing an undue burden or compromising the confidentiality of cardholders, including:

- (A) Oversight requirements;
- (B) recordkeeping requirements;
- (C) security requirements, including at a minimum, lighting, physical security, transportation, waste destruction, video, and alarm requirements;
- (D) health and safety requirements, including prohibiting the use of harmful pesticides;

(E) restrictions on advertising and signage;

(F) requirements and procedures for the safe and accurate packaging and labeling of medical hemp including requiring:

- (i) Disclosure of whether the hemp preparation is organic or non-organic;
- (ii) specifying the length of time it typically takes for a product to take effect;
- (iii) listing ingredients and possible allergens in edible and potable preparations;
- (iv) a nutritional fact panel on all edible and potable products; and
- (v) a unique serial number that will match the product with a hemp preparation center batch and lot number so as to facilitate any warnings or recalls;

(G) rules for random sample testing to ensure that hemp preparations available to cardholders and visiting cardholders are accurately labeled for content and potency in accordance with standards established by the department to ensure the health and safety of patient cardholders;

- (H) procedures for mandatory and voluntary recalls of hemp preparations; and
- (I) reporting requirements for changes, alterations or modifications of the premises;
- (8) establishing procedures for suspending or terminating the registration certificates or registration cards of cardholders and medical hemp establishments that commit multiple or serious violations of the provisions of this act or any rules and regulations promulgated pursuant to this section; and

(9) establishing reasonable application and renewal fees for registration cards, hemp preparation center registration certificates, testing laboratory registration certificates and such other fees that the department deems reasonably necessary to administer this act, according to the following:

(A) The fees shall be no greater than the amount reasonably necessary to cover the cost the department incurs to implement the provisions of this act;

(B) the fees for registration cards shall be no greater than the amount reasonably necessary to cover the cost the department incurs processing the identification cards;

(C) the fee structure established by the department must incorporate a sliding scale for cardholders who receive medicaid, supplemental security income or social security disability insurance; and

- (D) the following fees shall not exceed:

Hemp preparation center registration certificate application.....	\$5,000
Hemp preparation center registration certificate.....	\$20,000
Testing laboratory registration certificate.....	\$2,000
Individual hemp preparation registration card.....	\$75
Visiting cardholder.....	\$80

(b) The department may promulgate rules and regulations:

(1) Establishing a presumptive maximum quantity of hemp preparations that a cardholder or a visiting cardholder may possess, provided that:

- (A) The amount should be no less than a reasonable 60-day supply; and
- (B) a patient may apply for a waiver if a physician provides a substantial medical

basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, the amount established by the department is an insufficient amount to properly alleviate the patient's medical condition or symptoms associated with such medical condition;

(2) requiring visiting cardholders to submit a medical practitioner's statement confirming that the patient has a qualifying medical condition and documentation demonstrating that the visiting cardholder is allowed to possess cannabis or hemp preparations in the jurisdiction where such person resides, provided that:

(A) Any fee required of visiting cardholders must be no greater than the amount reasonably necessary to cover the cost the department incurs in processing their documentation and issuing any confirmation; and

(B) if the department requires visiting cardholders to submit documentation to the department, a confirmation must be issued electronically to the individual no later than seven calendar days after such documentation is submitted.

Sec. 6. (a) A cardholder or visiting cardholder shall not be subject to arrest, prosecution under state or municipal law or denial of any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for the medical use of hemp preparations pursuant to sections 1 through 11, and amendments thereto.

(b) No person may be subject to arrest, prosecution under state or municipal law or denial of any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for:

(1) Selling hemp paraphernalia to a registered medical hemp establishment, a cardholder or a visiting cardholder;

(2) being in the presence or vicinity of the medical use of hemp preparations as allowed by sections 1 through 11, and amendments thereto; or

(3) assisting a patient with a registration card in the act of using or administering hemp.

(c) A hemp preparation center or hemp preparation center agent shall not be subject to prosecution under state or municipal law, search or inspection, except by the department pursuant to section 10(a), and amendments thereto, seizure or penalty in any manner or be denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to sections 1 through 11, and amendments thereto, and department rules and regulations to:

(1) Sell cannabis seeds to similar entities that are registered to dispense cannabis for medical use in other jurisdictions;

(2) acquire, cultivate, grow, harvest, manufacture, plant, possess, prepare, propagate, transport or store cannabis, hemp paraphernalia and hemp preparations;

(3) deliver, dispense, supply, sell, transfer or transport hemp preparations, paraphernalia for use with hemp preparations or related supplies and educational materials to cardholders and visiting cardholders;

(4) deliver, dispense, transfer, transport, sell or supply cannabis seeds, cannabis seedlings, cannabis plants, cannabis, hemp preparations or related supplies and educational materials to other hemp preparation centers; or

(5) deliver, transfer or transport cannabis or hemp preparations to registered testing

laboratories.

(d) A registered testing laboratory and testing laboratory agents acting on behalf of a testing laboratory shall not be subject to prosecution under state or municipal law, search, except by the department pursuant to section 10(a), and amendments thereto, seizure or penalty in any manner, or be denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a court or business licensing board or entity, solely for acting in accordance with this act and department rules and regulations to provide the following services:

(1) Acquiring, possessing, storing, analyzing, testing or transporting cannabis obtained from hemp preparation centers and hemp preparations obtained from cardholders, visiting cardholders or hemp preparation centers;

(2) possessing, storing or transporting hemp paraphernalia;

(3) returning the hemp preparations to cardholders or hemp preparation centers; or

(4) receiving compensation for actions allowed under this section.

(e) Mere possession of, or application for, a registration card or medical hemp establishment registration shall not constitute probable cause or reasonable suspicion, nor shall it be used to support the search of the person, property or home of the person possessing or applying for the registration card. The possession of, or application for, a registration card or registration certificate shall not preclude the existence of probable cause if probable cause exists on other grounds.

(f) For the purposes of state law, the medical use of hemp preparations by a cardholder or visiting cardholder and activities a registered medical hemp establishment are registered to engage in shall be considered lawful as long as they are undertaken in accordance with sections 1 through 11, and amendments thereto.

Sec. 7. (a) For the purposes of medical care, including organ and tissue transplants, a patient's medical use of hemp preparations in accordance with sections 1 through 11, and amendments thereto, is the equivalent of the authorized use of any other medication in accordance with a prescription issued by a physician and does not constitute the use of an illicit substance or otherwise disqualify a patient cardholder from needed medical care.

(b) A person otherwise entitled to custody of or visitation or parenting time with a minor shall not be denied such a right, and there shall be no presumption of neglect or child endangerment, for conduct allowed by sections 1 through 11, and amendments thereto, unless the person's actions in relation to hemp preparations were such that they created an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

Sec. 8. (a) Sections 1 through 11, and amendments thereto, do not authorize any person to engage in, and do not prevent the imposition of any civil, criminal or other penalties for engaging in the following conduct:

(1) Undertaking any task under the influence of hemp preparations when doing so would constitute negligence or professional malpractice; or

(2) operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while impaired by hemp preparations.

(b) Nothing in this act requires a government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of hemp preparations.

Sec. 9. (a) Any person who operates a medical hemp establishment must first

submit an application form to the department and receive approval. Each application must be for a single type of a medical hemp establishment.

(b) No later than 120 days after the effective date of this act, the department shall begin accepting applications for hemp preparation centers and testing laboratories.

(c) Except as otherwise provided in this act, not later than 90 calendar days after receiving an application to operate a medical hemp establishment, the department shall register the medical hemp establishment and issue a registration certificate and a random identification number if:

(1) The person or persons who wish to operate the proposed medical hemp establishment have submitted to the department all of the following:

(A) The application fee, as established by the department; and

(B) an application, which must include:

(i) The legal name of the proposed medical cannabis establishment;

(ii) the physical address where the proposed medical hemp establishment will be located and the physical address of any co-owned additional or otherwise associated medical hemp establishments, so long as the location of the proposed medical hemp establishment is not within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 which existed on the date on which the application for the proposed medical hemp establishment was submitted to the department;

(C) evidence that the applicant controls not less than \$250,000 in liquid assets;

(D) evidence that the applicant owns the property on which the proposed medical hemp establishment will be located or has the written permission of the property owner to operate the proposed medical hemp establishment on that property;

(E) the name, address and date of birth of each person who is proposed to be an owner, officer or board member of the proposed medical hemp establishment;

(F) operating procedures consistent with rules and regulations of the department for oversight of the proposed medical hemp establishment, including procedures to ensure the use of adequate security measures;

(G) if the city, town or, in the case of a location in an unincorporated area, county in which the proposed medical hemp establishment will be located has enacted zoning restrictions or licensing requirements, proof of licensure with the applicable local governmental authority or an affirmation signed by the applicant that the proposed medical hemp establishment will be in compliance with those restrictions and satisfies all applicable zoning requirements; and

(H) such other information as the department may reasonably require by rules and regulations;

(2) none of the persons who are proposed to be owners, officers or board members of the proposed medical hemp establishment have served as an owner, officer or board member for a medical hemp establishment that has had its medical hemp establishment registration certificate revoked; and

(3) none of the persons who are proposed to be owners, officers or board members of the proposed medical hemp establishment are under 21 years of age.

(b) When more qualifying applications are submitted for a proposed hemp preparation center or testing laboratory than the department will approve, the department shall use an impartial and numerically scored merit-based selection process to determine which application or applications to approve. The department may approve

the highest scoring application or applications in specific geographic regions of the state. The department may conduct a background check of the principal officers and board members of any prospective hemp preparation center to carry out the provisions of this subsection.

(c) Except as otherwise provided in this act, if an application for registration as a medical hemp establishment satisfies the requirements of this section and the establishment is not disqualified from being registered as a medical hemp establishment pursuant to this act or other applicable law, the department shall issue to the establishment a medical hemp establishment registration certificate. A medical hemp establishment registration certificate expires two years after the date of issuance and may be renewed upon:

- (1) Submission of a renewal application; and
- (2) payment of the renewal fee established by the department.

Sec. 10. (a) Medical hemp establishments are subject to reasonable inspection by the department.

(b) A medical hemp establishment may not employ or accept as a volunteer any person who is under 21 years of age.

(c) The operating documents of a medical hemp establishment must include procedures for the oversight of the medical hemp establishment and procedures to ensure accurate recordkeeping.

(d) A medical hemp establishment shall implement appropriate security measures designed to deter and prevent:

- (1) The theft of cannabis and hemp preparations; and
- (2) unauthorized entrance into areas containing cannabis or hemp preparations.

(e) Before hemp preparations may be dispensed to a cardholder or visiting cardholder, a hemp preparation center agent must:

- (1) Make a diligent effort to verify that the registration card or other documentation presented to the hemp preparation center is valid; and
- (2) make a diligent effort to verify that the person presenting the card is the person identified on the registration card presented to the hemp preparation center agent.

(f) A hemp preparation center must dispense hemp preparations in a sealed container with a label that conforms to department regulations and that indicates the hemp preparation's ingredients and its percentages of tetrahydrocannabinol and cannabidiol by weight.

(g) Hemp preparation centers shall collect and submit to the department data on strains used, methods of delivery, any side effects experienced and the therapeutic effectiveness of hemp preparations for each patient who is willing to provide the information. Such data collection shall be done under the patient's registry identification number to protect the patient's confidentiality.

Sec. 11. If any provision of sections 1 through 11, and amendments thereto, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the application of any other provision of this act that can be given full effect without the invalid section or application.";

On page 2, in line 8, by striking "marihuana" and inserting "marijuana"; in line 11, by striking "marihuana" and inserting "marijuana";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "crimes, punishment and criminal

procedure" and inserting "controlled substances"; in line 2, after the semicolon by inserting "authorizing hemp preparation treatments for seizure disorders; establishing registration of patients and preparation centers; protection from arrest, prosecution and discrimination for authorized use; reducing criminal penalties for possession of marijuana;"

Roll call was demanded.

On roll call, the vote was: Yeas 67; Nays 49; Present but not voting: 0; Absent or not voting: 9.

Yeas: Ballard, Becker, Bollier, Bridges, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Dierks, Doll, Dove, Estes, Ewy, Finney, Frownfelter, Gallagher, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kuether, Lane, Lewis, Lusk, Lusker, McPherson, Moxley, Ousley, Patton, Phillips, Powell, Proehl, Rooker, Ruiz, Jr. Ryckman, Sawyer, Schwab, Seiwert, Smith, Suellentrop, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Wilson, Wolfe Moore.

Nays: Alford, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, B. Carpenter, Corbet, Davis, DeGraaf, Edmonds, Esau, Finch, Francis, Garber, Gonzalez, Hedke, Hemsley, Highland, Hoffman, Houser, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Lunn, Macheers, Mason, Mast, Merrick, O'Brien, Osterman, Pauls, Peck, Read, Rhoades, Rubin, Sr. Ryckman, Scapa, Schroeder, Schwartz, Sutton, Thimesch, Todd, Vickrey, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Brunk, Goico, Kelley, Kleeb, Sloan, Whipple, Winn.

The motion of Rep. Wilson prevailed.

Also, on motion of Rep. Dove, **HB 2049** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) Sections 1 and 2, and amendments thereto, shall be known and may be cited as the alternative crop research act.

(b) As used in the alternative crop research act:

(1) "Certified seed" means industrial hemp seed that has been certified as having no more tetrahydrocannabinol concentration than that adopted by federal law in the controlled substances act, 21 U.S.C. § 801 et seq.

(2) "Department" means the Kansas department of agriculture.

(3) "Hemp products" means all products made from industrial hemp, including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed metal and seed oil for consumption and certified seed for cultivation if the seeds originate from industrial hemp varieties.

(4) "Industrial hemp" means all parts and varieties of the plant *cannabis sativa*, cultivated or possessed by a state educational institution or the department, whether growing or not, that contain a tetrahydrocannabinol concentration of no more than that adopted by federal law in the controlled substances act, 21 U.S.C. § 801 et seq.

(5) "Seed research" means research conducted to develop or recreate better strains of industrial hemp, particularly for the purpose of seed production.

(6) "State educational institution" means the university of Kansas, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university

and Fort Hays state university.

(7) "Tetrahydrocannabinol" or "THC" means the natural or synthetic equivalents of the substances contained in the plant or in the resinous extractives of cannabis or any synthetic substances, compounds, salts or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity.

New Sec. 2. (a) The department, alone or in coordination with a state educational institution, may cultivate industrial hemp grown from certified seed and promote the research and development of industrial hemp. This research may include:

(1) Oversight and analysis of growth of industrial hemp to conduct agronomy research and analysis of required soils, growing conditions and harvest methods relating to the production of various varieties of industrial hemp that may be suitable for various commercial hemp products;

(2) seed research on various types of industrial hemp that are best suited to be grown in Kansas, including seed availability, creation of hybrid types, in-the-ground variety trials and seed production;

(3) analysis on the economic feasibility of developing an industrial hemp market in various types of industrial hemp that can be grown in Kansas;

(4) analysis on the estimated value-added benefits, including environment benefits, that Kansas businesses would reap by having an industrial hemp market of Kansas-grown industrial hemp varieties;

(5) a study on the agronomy research conducted worldwide relating to industrial hemp varieties, production and utilization; and

(6) a study on the feasibility of attracting federal and private funding for industrial hemp research.

(b) The secretary of agriculture shall have the authority to promulgate rules and regulations to carry out the provisions of the alternative crop research act.

(c) Nothing in the alternative crop research act shall be construed to authorize any person to violate any federal law.

Sec. 3. K.S.A. 2014 Supp. 21-5702 is hereby amended to read as follows: 21-5702. (a) Prosecutions for crimes committed prior to July 1, 2009, shall be governed by the law in effect at the time the crime was committed. For purposes of this section, a crime was committed prior to July 1, 2009, if any element of the crime occurred prior thereto.

(b) The prohibitions of this act shall apply unless the conduct prohibited is authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act, the alternative crop research act or otherwise authorized by law.";

On page 2, in line 29, after "Supp." by inserting "21-5702 and"; also in line 29, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "cannabis; relating to"; also in line 1, by striking "relating"; in line 2, by striking "to"; also in line 2, after "substances;" by inserting "enacting the alternative crop research act;"; in line 3, before "21-5706" by inserting "21-5702 and"; also in line 3, by striking "section" and inserting "sections";

Also, on motion of Rep. McPherson to amend **HB 2049**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **HB 2049** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 91** be adopted;

also, on motion of Rep. Kuether to amend, the motion did not prevail, and the substitute bill be passed.

Committee report to **HB 2365** be adopted; also, on motion of Rep. McPherson to amend, the motion did not prevail, and the bill be passed as amended.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 52**.

The Senate adopts the Conference Committee report on **SB 189**.

The Senate adopts the Conference Committee report on **HB 2256**.

The Senate accedes to the request of the House for a conference on **HB 2005** and has appointed Senators Masterson, 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 2233** and has appointed Senators Olson, Petersen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2268** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **Sub HB 2224, H Sub for SB 12, H Sub for SB 112, HB 2049, SB 290, H Sub for SB 91, SB 276, SB 105, SB 14, HB 2365** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2224, AN ACT concerning technical professions; amending K.S.A. 2014 Supp. 74-7003 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Macheers, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: DeGraaf, Garber, Hutchins, Lusker, Mason, Smith.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: A small town in Jackson County had a small church. That church wanted to build a bigger church. A retired member of the congregation drew plans for the new sanctuary. The completed church passed inspections by an architect and an engineer.

The Board of Technical Professions determined Mr. Ray's action constituted the unlicensed practice of architecture. Mr. Ray filed a claim against the state. Representative Fund passed away in April 2011. The Senate "passed a hat" and collected money in Representative Fund's memory that was to go to Mr. Ray.

I vote no on **Sub HB 2224** in memory of Representative Rocky Fund and Eldon Ray.
 – BECKY HUTCHINS

H Sub for SB 12, AN ACT concerning crimes, punishment and criminal procedure; relating to service members of the United States armed forces; diversion; sentencing; amending K.S.A. 2014 Supp. 12-4415, 21-6630, 21-6815 and 22-2908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Gonzalez, Highberger, Houston, Kuether, Rhoades, Ward.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

H Sub for SB 112, AN ACT concerning military servicemembers and military spouses; expedited professional credentialing; amending K.S.A. 2014 Supp. 48-3406 and repealing the existing section, was considered on final action.

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

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke,

Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

HB 2049, AN ACT concerning crimes, punishment and criminal procedure; relating to possession of controlled substances; amending K.S.A. 2014 Supp. 21-5706 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 36; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Estes, Ewy, Finney, Francis, Frownfelter, Gallagher, Grosserode, Hawkins, Henderson, Henry, Hibbard, Highberger, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Kleeb, Kuether, Lane, Lewis, Lusk, Lusker, McPherson, Moxley, Ousley, Patton, Pauls, Phillips, Proehl, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barker, Barton, Bradford, Bruchman, Brunk, B. Carpenter, Corbet, DeGraaf, Edmonds, Esau, Finch, Garber, Gonzalez, Hedke, Hemsley, Highland, Hoffman, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Lunn, Macheers, Mast, Merrick, O'Brien, Osterman, Peck, Powell, Read, Rhoades, Scapa, Schroeder, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Mason, Sloan, Whipple, Winn.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote in favor of **HB 2049**. Thousands of Kansans suffer from debilitating seizure disorders and are looking for new treatment options. The carefully crafted components of this bill balance the need for positive health outcomes with the need to protect public and patient safety. The regulatory framework we're creating is a compassionate and responsible way for Kansans to access the medication they need. – JOHN WILSON, LOUIS RUIZ, PAM CURTIS, KATHY WOLFE MOORE, SYDNEY CARLIN, DENNIS "BOOG" HIGHBERGER, JARROD OUSLEY, RODERICK HOUSTON, CAROLYN BRIDGES

MR. SPEAKER: I could support a narrow use of hemp oil for medical purposes; I do not

believe this is the proper way to do it. I prefer a way where patients can have a prescription written and they are able to fill it at a regular pharmacy and have it covered by insurance just like any other pharmaceuticals. This bill is in conflict with federal law and there could still be negative consequences for families. Our federal government needs to resolve this issue so this can be done right. The bill also moves towards decriminalizing marijuana which I am opposed to. I vote no on **HB 2049**. – JOSEPH SCAPA

MR. SPEAKER: I vote “no” on **HB 2049**. Marijuana is illegal under Federal Law. Courts, including our U.S. Supreme Court, have ruled it to be of no value for medical therapies. For that reason, I vote against **HB 2049**. – PEGGY MAST

SB 290, AN ACT concerning the Kansas code of military justice; relating to commanding officer's nonjudicial punishment; amending K.S.A. 48-2301 and repealing the existing section, was considered on final action.

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

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

H Sub for SB 91, AN ACT concerning renewable energy; relating to the renewable energy standards act, electric generation standard; relating to property tax; concerning exemptions for property used for renewable energy resources; relating to property tax on public utilities, definitions and exceptions; amending K.S.A. 2014 Supp. 66-1256, 66-1257, 66-1259, 79-201 and 79-5a01 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 66-1258, 66-1260, 66-1261 and 66-1262, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 11; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Hibbard, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleebl, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Todd, Trimmer, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: Ballard, Bridges, Carlin, Carmichael, Henry, Highberger, Kuether, Lane, Ruiz, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **H Sub for SB 91**. **H Sub for SB 91** effectively ends the Renewable Portfolio Standard, and replaces it with an artificial 'goal' that has no enforcement. The intent of the RPS was meant to create a competitive market for alternatives to traditional fossil fuels because of their damaging effects on the environment. Rather than improving current environmental policy, this policy moves our state backwards. – HAROLD LANE, DENNIS "BOOG" HIGHBERGER, BARBARA W. BALLARD, LOUIS RUIZ

MR. SPEAKER: I vote NO on **H Sub for SB 91**. The bill before this House creates a dangerous precedent for lawmaking. Nonelected individuals representing the wind industry, the Kansas Chamber of Commerce, and Americans for Prosperity brokered this deal behind closed doors, without elected officials. In the democratic process elected officials, not special interest groups, decide the law. I will not vote in favor of such influence peddling. – CAROLYN BRIDGES, SYDNEY CARLIN

SB 276, AN ACT concerning corporations and business entities; relating to business filings with the secretary of state; limited liability companies; amending K.S.A. 17-6601, 17-6602, 17-7002, 56-1a152 and 56-1a153 and K.S.A. 2014 Supp. 17-7673, 17-7674, 17-7675, 17-7677, 17-7680, 17-7681, 17-76,128, 17-76,143, 17-76,146, 17-7910, 17-7912, 17-7916, 17-7918, 17-7931, 17-7932, 17-7933, 17-7934 and 17-7937 and repealing the existing sections; also repealing K.S.A. 17-7304, 17-7308 and 56-1a508 and K.S.A. 2014 Supp. 17-7664, 17-7666, 17-7673a, 17-7674a, 17-7676, 17-7677a, 17-7678, 17-7683, 17-76,121, 17-76,121a, 17-76,122, 17-76,123, 17-76,124, 17-76,125, 17-76,127 and 56-1a156, was considered on final action.

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

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill,

Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

SB 105, AN ACT concerning the uniform interstate family support act; amending K.S.A. 2014 Supp. 23-36,101, 23-36,102, 23-36,103, 23-36,201, 23-36,202, 23-36,203, 23-36,204, 23-36,205, 23-36,206, 23-36,207, 23-36,208, 23-36,209, 23-36,301, 23-36,303, 23-36,304, 23-36,305, 23-36,306, 23-36,307, 23-36,308, 23-36,310, 23-36,311, 23-36,312, 23-36,313, 23-36,314, 23-36,316, 23-36,317, 23-36,318, 23-36,319, 23-36,401, 23-36,501, 23-36,502, 23-36,503, 23-36,504, 23-36,505, 23-36,506, 23-36,507, 23-36,601, 23-36,602, 23-36,603, 23-36,604, 23-36,605, 23-36,606, 23-36,607, 23-36,608, 23-36,609, 23-36,610, 23-36,611, 23-36,612, 23-36,613, 23-36,701, 23-36,801, 23-36,802, 23-36,901 and 23-36,902 and repealing the existing sections, was considered on final action.

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

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whitmer, Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

SB 14, AN ACT concerning the disposition of district court fines, penalties and forfeitures; relating to the criminal justice information system line fund; amending K.S.A. 2014 Supp. 74-7336 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 21; Present but not voting: 0; Absent or not

voting: 7.

Yeas: Alford, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Concannon, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Francis, Frownfelter, Gallagher, Gonzalez, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Bradford, Couture-Lovelady, B. Carpenter, Claeys, Corbet, DeGraaf, Esau, Finney, Garber, Grosserode, Hildabrand, Hoffman, K. Jones, Kahrs, Mast, McPherson, O'Brien, Peck, Rhoades, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed.

HB 2365, AN ACT concerning the judicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch; amending K.S.A. 2014 Supp. 8-2107, 8-2110, 20-362, 20-3021, 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, 60-256, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6614e, was considered on final action.

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

Yeas: Alford, Ballard, Barker, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, Osterman, Ousley, Patton, Pauls, Phillips, Powell, Proehl, Read, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Williams, Wilson, Wolfe Moore.

Nays: Barton, B. Carpenter, DeGraaf, Edmonds, Garber, K. Jones, O'Brien, Peck, Rhoades, Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Anthimides, Goico, Kelley, Sloan, Whipple, Winn.

The bill passed, as amended.

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On motion of Rep. Vickrey, the House adjourned until 9:00 a.m., Friday, May 8, 2015.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

