

Journal of the House

FORTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 16, 2012, 11:00 a.m.

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

The roll was called with 124 members present.

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

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

Prayer by guest chaplain, Chaplain John L. Paulson, Kansas State Firefighters Association, Oberlin, and guest of Rep. Schroeder:

I am honored to be in this "House of Leadership" as Chaplain for the 125 year old Kansas State Firefighters Association. Leadership should always go hand in hand with wisdom.

Last spring I saw a notable act of wisdom. The wise leader was a blackbird. He and his son landed at our bird feeder. The young bird was standing up to his knees in food, yet he didn't eat.

Then I watched as the father took a piece of sunflower seed and gave it to his child. The father took another piece of sunflower seed, but his time, and each subsequent time, he held it a little lower. In this way, the father led his child to the source of food.

I thought this was a great illustration of how the Bible leads us to God as the source of eternal life. God is also a wellspring of wisdom.

For this reason I pray that you might eat of the bread of life and drink from God's fountain of wisdom as you endeavor to lead this Great State of Kansas.

In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Rep. Carlin.

Kansas Trivia Question – What three places near the Colorado border take their name from the combinations of the two states' names?

Answer : Colokan, Kanorado, Kanado

SPECIAL PRESENTATION

In celebration of St. Patrick's Day, former Senator Richard Gannon played a medley of Irish and Scottish tunes on the bagpipes.

INTRODUCTION OF GUESTS

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

No one ever wants to start the year at 0-3, but that is what happened this year for the Silver Lake Lady Eagles basketball team.

They suffered losses to Holton (who ended up second in 4A), Riley County (who was undefeated until the 3A sub-state championship game), and Jefferson County North (who ended up the 2A state champions).

After the first three losses, they started playing well, heading to the Tonganoxie tournament where they ended up taking first place even though they were playing larger schools.

At Sub-state, the Lady Eagles had to beat Rock Creek in the semi finals before they had to play the undefeated Riley County Falcons in the Sub-state finals. The Falcons had defeated the Eagles twice during the regular season. Needless to say, they didn't beat the Eagles a third time.

At the State Basketball Tournament, the Eagles beat Garden Plain 55-49 in overtime. Then, they beat ACCHS 56-46.

In the Championship game, the Eagles faced Burlington. They were down by double digits with four minutes left in the game before they made a comeback to push the game into overtime where they took care of business by winning 51-47.

It is my distinct pleasure to welcome the 2012 Girls 3A State Basketball Champions: the Silver Lake Eagles Girls Basketball Team, their head coach, Tyler Stewart; assistant coach, Loren Ziegler; Principal Brad Womack; Athletic Director, Warren Bledsoe; and Superintendent, Dr. Randy Freeman.

Because of time constraints, I will only be able to introduce the seniors: Jamie Pfannenstiel, Perry Krogman, Becca Holder, Quinn Barker, Kayla Thayer, Kylie Bledsoe and Kaci Campbell.

Rep. Burgess presented a House certificate to Coach Stewart.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2788, HB 2789.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 447.**

Announcing passage of **Sub HB 2055; Sub HB 2166; Sub HB 2207; HB 2335, HB 2412, HB 2420, HB 2429, HB 2468, HB 2469, HB 2472, HB 2473, HB 2491, HB 2496, HB 2507, HB 2509, HB 2546, HB 2588, HB 2600, HB 2666, HB 2669, HB 2672, HB 2675, HB 2677.**

Announcing passage of **HB 2413**, as amended; **HB 2534**, as amended.

Announcing adoption of **SCR 1616**.

Announcing adoption of **HCR 5032**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 447; SCR 1616.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Prescott, **HR 6019**, by Reps. Tyson, Prescott, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, as follows, was introduced and adopted.

HOUSE RESOLUTION No. HR 6019—

A RESOLUTION congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

WHEREAS, On August 13, 1887, a group of Kansas fire service leaders met at Minneapolis, Kansas and organized the Kansas State Firemen's Association for the benefit of present and future Kansas firefighters; and

WHEREAS, The Kansas State Firemen's Association eventually changed its name to the Kansas State Firefighter's Association; and

WHEREAS, The Kansas State Firefighter's Association represents 16,000 firefighters, both volunteer and paid, from 660 fire departments across the state; and

WHEREAS, The primary goal of the Kansas State Firefighter's Association is to be dedicated to the safety and education of Kansas firefighters; and

WHEREAS, To provide for the safety of Kansas firefighters, the Kansas State Firefighter's Association provides free training to nearly 1,000 Kansas firefighters each year; and

WHEREAS, Kansas firefighters and their families make significant sacrifices to ensure the protection of Kansas lives and property; and

WHEREAS, The Kansas State Firefighter's Association has enjoyed a rich and proud heritage, and is the preeminent fire service organization in the state of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the

Kansas State Firefighter's Association and its members be congratulated and commended on the 125th Anniversary of their organization; and

Be it further resolved: That the 13th day of August of 2012 be recognized as Kansas Firefighter Day in honor of the sacrifices made by Kansas firefighters and their families over the past 125 years; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representatives Tyson and Prescott.

There being no objection, the following remarks of Rep. Tyson are spread upon the journal:

It is an honor to offer Resolution 6019 recognizing the Kansas State Firefighters Association. The Association was established in 1887, 125 years ago, in Minneapolis, KS.

Each of us most likely has a friend, neighbor, or family member that is a firefighter willing to put oneself in harm's way for our protection and who's department is a member of the Kansas State Firefighters Association. The Association currently has 660 member departments representing over 16,000 firefighters.

Thank you to the Kansas State Firefighters Association for their dedication to the safety and education of all firefighters.

Congratulations on the Kansas State Firefighter Association 125 year anniversary.

CONSENT CALENDAR

No objection was made to **SB 353** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2521, AN ACT concerning civil penalties; relating to certain penalties for violation of laws regulating the sale of alcohol and tobacco, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

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

Nays: Burroughs, Carlin, Dillmore, Kiegerl, McCray-Miller, Ruiz, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

HB 2634, AN ACT concerning schools; relating to school employees; performance and evaluation; professional development; amending K.S.A. 72-1412, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 72-5413, 72-9002, 72-9003 and 72-9608 and repealing the existing sections, was considered on final action.

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

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

Nays: Ballard, Billinger, Burgess, Burroughs, Carlin, Davis, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, McCray-Miller, Meier, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

SB 290, AN ACT concerning the addictions counselor licensure act; amending K.S.A. 2011 Supp. 65-6608, 65-6610 and 65-6613 and repealing the existing sections, was considered on final action.

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

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

Nays: Kinzer, O'Hara, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed.

SB 303, AN ACT concerning disposition of unclaimed cremated remains; relating to veterans cremated remains; amending K.S.A. 65-1732 and repealing the existing section; also repealing K.S.A. 65-1733, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that on motion of Rep. Siegfried, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing the following members to speak more than once on **H Sub for SB 294**: Reps. Kelley, Feuerborn, Crum, Peck, Schwartz, Gordon and McLeland.

Committee report recommending a substitute bill to **H Sub for SB 294** be adopted; also, on motion of Rep. Kuether, be amended on page 124, by striking all in lines 8 through 14;

Also, on motion of Rep. D. Gatewood, **H Sub for SB 294** be amended on page 75, in line 33, by striking the first "or" and inserting a comma; in line 34, following "government" by inserting ", the department of corrections, the juvenile justice authority or the Kansas highway patrol";

Also, roll call was demanded on motion of Rep. Colloton to amend **H Sub for SB 294** on page 114, in line 6 by adding \$5,000,000 to the dollar amount which reads \$172,966,163 and adjusting the dollar amount in line 6 accordingly; and

On page 124, following line 14, by inserting the following:

“(m) On the effective date of this act,, or as soon thereafter as moneys are available,

and notwithstanding the provisions in K.S.A. 79-4231, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the oil and gas valuation depletion trust fund of the department of revenue to the state general fund; *Provided*, That the aggregate amount transferred under this subsection shall be accounted for by debiting each account in the oil and gas valuation depletion trust fund with the amount credited to such account that bears the same relation to the aggregate amount credited to such account as the aggregate amount transferred under this subsection bears to the aggregate amount credited to the oil and gas valuation depletion trust fund.”;

On roll call, the vote was: Yeas 75; Nays 46; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Bethell, Bollier, Brookens, Bruchman, Burroughs, Calloway, Carlin, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosseode, Hedke, Henderson, Henry, Hermanson, Hill, M. Holmes, Howell, Kelley, Kelly, Kinzer, Kleeb, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Pauls, Peck, Phelps, Phillips, Pottorff, Prescott, Roth, Ruiz, Scapa, Slattery, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Burgess, Carlson, Cassidy, Crum, DeGraaf, Donohoe, Grange, Hayzlett, Hildabrand, Hineman, Hoffman, C. Holmes, Huebert, Johnson, Kerschen, Kiegerl, Knox, Mast, McLeland, Mesa, O'Neal, Patton, Powell, Proehl, Rhoades, Rubin, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Collins, Finney, Peterson, Sloan.

The motion of Rep. Colloton prevailed.

Also, on further motion of Rep. Colloton to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the “pay-go” rule. Rep. Colloton subsequently withdrew her amendment.

Also, roll call was demanded on motion of Rep. Donohoe to amend **H Sub for SB 294** on page 282, following line 28, by inserting the following:

"Sec. 170. (a) For the fiscal year ending June 30, 2012, on and after the effective date of this act, no moneys appropriated for the department of social and rehabilitation services from the state general fund or from any special revenue fund or funds for fiscal year 2012, as authorized by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, shall be expended by the department of social and rehabilitation services to administer the supplemental nutrition assistance program under the current eligibility determination policy or any other eligibility determination policy except the eligibility determination policy that was in effect on September 30, 2011: *Provided*, That, the eligibility determination policy that was in effect on September 30, 2011, shall be reinstated and implemented for the supplemental nutrition assistance program effective on the effective date of this act.

(b) For the fiscal year ending June 30, 2013, no moneys appropriated for the Kansas department for children and families from the state general fund or from any

special revenue fund or funds for fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, shall be expended by the Kansas department for children and families to administer the supplemental nutrition assistance program under the current eligibility determination policy or any other eligibility determination policy except the eligibility determination policy that was in effect on September 30, 2011: *Provided*, That, the eligibility determination policy that was in effect on September 30, 2011, shall be reinstated and implemented for the supplemental nutrition assistance program effective on the effective date of this act.";

And by renumbering remaining sections accordingly

On roll call, the vote was: Yeas 7; Nays 113; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Flaharty, Henderson, McCray-Miller, Ruiz, Victors, Winn.

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

Present but not voting: None.

Absent or not voting: Collins, Hill, Peterson, Roth, Weber.

The motion of Rep. Donohoe did not prevail.

Also, roll call was demanded on motion of Rep. Arpke to amend **H Sub for SB 294** on page 140, in line 3, by adding \$1,272,738 to the dollar amount and by adjusting the dollar amount in line 3 accordingly;

On page 142, in line 22, by subtracting \$1,028,897 from the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On page 149, in line 7, by adding \$300,000 to the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 151, in line 9, by adding \$848,492 to the dollar amount and by adjusting the dollar amount in line 9 accordingly;

On page 153, in line 13, by subtracting \$1,392,333 from the dollar amount and by adjusting the dollar amount in line 13 accordingly

On roll call, the vote was: Yeas 21; Nays 99; Present but not voting: 0; Absent or not voting: 5.

Yeas: Arpke, Boman, Crum, DeGraaf, Garber, Goodman, M. Holmes, Howell, Kelly, Knox, Mast, O'Brien, O'Hara, Otto, Peck, Powell, Ryckman, Siegfried, Vickrey, Williams, B. Wolf.

Nays: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton,

Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, Huebert, Johnson, Kerschen, Kiegerl, Kinzer, Kleebe, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Patton, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Collins, Kelley, McLeland, Peterson, Rhoades.

The motion of Rep. Arpke did not prevail.

Also, on motion of Rep. Meier, **H Sub for SB 294** be amended on page 75, following line 34, by inserting:

"(s) (1) In awarding any contract for the performance of any job or service for which moneys appropriated pursuant to this section are to be expended, the secretary of administration, or the secretary's designee, shall give a preference to disabled veteran businesses doing business as Kansas firms, corporations or individuals, or which maintain Kansas offices or places of business and shall have the goal of awarding at least 3% of all such contracts to disabled veteran businesses.

(2) On or before October 1, 2013, the secretary of administration shall file with the Kansas commission on veterans affairs a report of the number of contracts awarded to disabled veteran businesses during the fiscal year ending June 30, 2013, and the number of such businesses that responded to solicitations of bids or proposals issued by the department of administration during such fiscal year.

(3) As used in this subsection:

(A) "Disabled veteran" means a person who has served in the armed forces of the United States and who is entitled to compensation for a service-connected disability, according to the laws administered by the veterans administration, or who is entitled to compensation for the loss, or permanent loss of use, of one or both feet or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree.

(B) "Disabled veteran business" means a business: (i) Not less than 51% of which is owned by one or more disabled veterans or, in the case of a publicly owned business, not less than 51% of the stock of which is owned by one or more disabled veterans; and (ii) the management and daily business operations of which are controlled by one or more disabled veterans.";

Also, on motion of Rep. Rubin to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment does not violate the rule and therefore was in order. The motion of Rep. Rubin subsequently did not prevail.

Also, on motion of Rep. Feuerborn to amend **H Sub for SB 294**, Rep. Rhoades requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment violates the rule and was therefore out of order.

Also, roll call was demanded on motion of Rep. Feuerborn, pursuant to House Rule 2311, to suspend House rule 2110 for the purpose of offering an amendment numbered 2012-SB294h.4930.

On roll call, the vote was: Yeas 49; Nays 72; Present but not voting: 0; Absent or not voting: 4.

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

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

Present but not voting: None.

Absent or not voting: Collins, Kiegerl, Landwehr, Peterson.

The motion of Rep. Feuerborn did not prevail.

Also, roll call was demanded on motion of Rep. Ballard to amend **H Sub for SB 294** on page 27, in line 14, by subtracting \$1,070,318 from the dollar amount and by adjusting the dollar amount in line 14 accordingly;

On page 30, in line 32, by subtracting \$399,834 from the dollar amount and by adjusting the dollar amount in line 32 accordingly;

On page 124, in line 24, by adding \$2,470,152 to the dollar amount and by adjusting the dollar amount in line 24 accordingly; in line 41, by subtracting \$1,000,000 from the dollar amount and by adjusting the dollar amount in line 41 accordingly

On roll call, the vote was: Yeas 38; Nays 77; Present but not voting: 0; Absent or not voting: 10.

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

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, LeDoux, Mast, McLeland, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Hildabrand, M. Holmes, Johnson, Kiegerl, Peterson, Rubin, Schwab, Sloan.

The motion of Rep. Ballard did not prevail.

Also, on motion of Rep. O'Hara to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment did not violate the

rule and therefore is in order. Rep. O'Hara subsequently withdrew the amendment.

Also, on further motion of Rep. O'Hara to amend **H Sub for SB 294**, the motion did not prevail. Also, on motion of Rep. Colloton to amend, the motion did not prevail. Also, on motion of Rep. D. Gatewood to amend, the motion did not prevail.

Also, on motion of Rep. Bethell to amend **H Sub for SB 294**, Rep. Rhoades requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment violates the rule and therefore was out of order.

Also, on motion of Rep. S. Gatewood to amend **H Sub for SB 294**, the motion did not prevail.

Also, on motion of Rep. Burgess, **H Sub SB 294** be amended on page 255, in line 34, before "On" by inserting "(1)"; in line 40, after the period, by inserting "Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2012, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.

(2)";

Also, roll call was demanded on motion of Rep. Mah to amend **H Sub for SB 294** on page 282, following line 28, by inserting the following:

"Sec. 170.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Undermarket pay adjustment fund\$8,500,000

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2012 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with each such approval, to the proper accounts created by state general fund appropriations for fiscal year 20123 for which such transfers are so approved under this section.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts

established for each fiscal year designated in subsection (a), for the fiscal year ending June 30, 2012, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the fiscal year ending June 30, 2012.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$7,000,000 from the accounting services recovery fund of the department of administration to the undermarket pay adjustment fund of the state finance council.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-1269, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the architectural services recovery fund of the department of administration to the undermarket pay adjustment fund of the state finance council.";

And by renumbering sections accordingly

On roll call, the vote was: Yeas 55; Nays 61; Present but not voting: 0; Absent or not voting: 9.

Yeas: Ballard, Bethell, Bollier, Brookens, Burgess, Burroughs, Carlin, Cassidy, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grant, Henderson, Henry, Hill, Hineman, M. Holmes, Kelly, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Moxley, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Ruiz, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Calloway, Carlson, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Kelley, Kerschen, Kinzer, KleeB, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Peck, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bruchman, Collins, Johnson, Kiegerl, Landwehr, Peterson, Roth, Shultz, Sloan.

The motion of Rep. Mah did not prevail.

Also, roll call was demanded on motion of Rep. Spalding to amend **H Sub for SB 294** on page 22, in line 11, by striking all after "(c)"; by striking all in lines 12 through 14; in line 15, by striking all before the period and inserting "On the effective date of

this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$24,632,000 from the state highway fund of the Kansas department of transportation to the general state aid account of the state general fund for the department of education";

On roll call, the vote was: Yeas 116; Nays 1; Present but not voting: 0; Absent or not voting: 8.

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

Nays: Goodman.

Present but not voting: None.

Absent or not voting: Collins, Johnson, Kiegerl, McLeland, O'Brien, Peterson, Roth, Sloan.

The motion of Rep. Spalding prevailed.

Also, on motion of Rep. Burgess, **H Sub for SB 294** be amended on page 255, in line 34, before "On" by inserting "(1)"; in line 40, after the period, by inserting "Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.

(2)";

Also, on motion of Rep. Peck to amend **H Sub for SB 294**, the motion did not prevail.

Also, on motion of Rep. Patton, **H Sub for SB 294** be amended on page 282, following line 28, by inserting:

"Sec. 170. (a) During the fiscal year ending June 30, 2013, except to the extent required by federal law, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for any abortion: *Provided*, That, except to the extent required by federal law, no health care services provided by any such state agency, or any employee of such state agency while acting

within the scope of such employee's employment, shall include abortion: *Provided, however*; That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.;

And by renumbering remaining sections accordingly; and **H Sub for SB 294** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2761** be passed.

Committee on **Agriculture and Natural Resources** recommends **Substitute for SB 148** be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 148," as follows:

"HOUSE Substitute for Substitute for SENATE BILL NO. 148

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to division of a water right; relating to project permits for sand and gravel operations; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for Sub SB 148** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **HB 2572** be amended on page 1, in line 7, by striking "New"; in line 15, after "(b)" by inserting "There is hereby established in the state treasury the Kansas emergency management and homeland security fund. Moneys deposited in the Kansas emergency management and homeland security fund may be expended for operating expenditures of the adjutant general related to emergency management and homeland security, including, but not limited to, direct and indirect operating expenses. Expenditures from the Kansas emergency management and homeland security fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the adjutant general or by a person or persons designated by the adjutant general.

(c)";

Also on page 1, by striking all in lines 21 through 35; in line 36, by striking "New";

On page 2, by striking all in lines 17 through 43;

By striking all on pages 3 and 4;

On page 5, by striking all in lines 1 through 21;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "KUSF; insurance fees and premium taxes;" in line 3, by striking all after "fund"; in line 4, by striking all before the period and inserting "and the Kansas emergency management and homeland security fund"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 425** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 425," as follows:

"HOUSE Substitute for SENATE BILL NO. 425

By Committee on Appropriations

"AN ACT concerning the court of appeals; relating to the number of judges; amending K.S.A. 2011 Supp. 20-3002 and repealing the existing section."; and the substitute

bill be passed.

(H Sub SB 425 was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **Substitute for SB 307** be amended on page 2, following line 18, by inserting:

"Sec. 2. K.S.A. 22-3402 is hereby amended to read as follows: 22-3402. ~~(+)~~ (a) If any person charged with a crime and held in jail solely by reason thereof shall not be brought to trial within 90 days after such person's arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant; or a continuance shall be ordered by the court under subsection ~~(5)~~ (e).

~~(2)~~ (b) If any person charged with a crime and held to answer on an appearance bond shall not be brought to trial within 180 days after arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant, or a continuance shall be ordered by the court under subsection ~~(5)~~ (e).

~~(2)~~ (c) If any trial scheduled within the time limitation prescribed by subsection ~~(+)~~ (+) or ~~(2)~~ (a) or (b) is delayed by the application of or at the request of the defendant, the trial shall be rescheduled within 90 days of the original trial deadline.

~~(+)~~ (d) After any trial date has been set within the time limitation prescribed by subsection ~~(+)~~ or ~~(2)~~ (a), (b) or (c), if the defendant fails to appear for the trial or any pretrial hearing, and a bench warrant is ordered, the trial shall be rescheduled within 90 days after the defendant has ~~been surrendered~~ appeared in court after apprehension or surrender on such warrant. However, if the defendant was subject to the 180-day deadline prescribed by subsection ~~(2)~~ (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect.

~~(5)~~ (e) For those situations not otherwise covered by subsections (a), (b) or (c), the time for trial may be extended ~~beyond the limitations of subsections (1) and (2)~~ for any of the following reasons:

~~(a)~~ (1) The defendant is incompetent to stand trial. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding;

~~(b)~~ (2) A proceeding to determine the defendant's competency to stand trial is pending and a determination thereof may not be completed within the time limitations fixed for trial by this section. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding. However, if the defendant was subject to the 180-day deadline prescribed by subsection (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect. The time that a decision is pending on competency shall never be counted against the state;

~~(e)~~ (3) There is material evidence which is unavailable; that reasonable efforts have been made to procure such evidence; and that there are reasonable grounds to believe that such evidence can be obtained and trial commenced within the next succeeding 90 days. Not more than one continuance may be granted the state on this ground, unless for good cause shown, where the original continuance was for less than 90 days, and the trial is commenced within 120 days from the original trial date;

~~(+)~~ (4) Because of other cases pending for trial, the court does not have sufficient time to commence the trial of the case within the time fixed for trial by this section. Not

more than one continuance of not more than 30 days may be ordered upon this ground.

~~(6)(f)~~ In the event a mistrial is declared, a motion for new trial is granted or a conviction is reversed on appeal to the supreme court or court of appeals, the time limitations provided for herein shall commence to run from the date the mistrial is declared, the date a new trial is ordered or the date the mandate of the supreme court or court of appeals is filed in the district court.

(g) If a delay is initially attributed to the defendant, but is subsequently charged to the state for any reason, such delay shall not be considered against the state under subsections (a), (b) or (c) and shall not be used as a ground for dismissing a case or for reversing a conviction unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.

(h) When a scheduled trial is scheduled within the period allowed by subsections (a), (b) or (c) and is delayed because a party has made or filed a motion, or because the court raises a concern on its own, the time elapsing from the date of the making or filing of the motion, or the court's raising a concern, until the matter is resolved by court order shall not be considered when determining if a violation under subsections (a), (b) or (c) has occurred. If the resolution of such motion or concern by court order occurs at a time when less than 30 days remains under the provisions of subsections (a), (b) or (c), the time in which the defendant shall be brought to trial is extended 30 days from the date of the court order.

(i) If the state requests and is granted a delay for any reason provided in this statute, the time elapsing because of the order granting the delay shall not be subsequently counted against the state if an appellate court later determines that the district court erred by granting the state's request unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

Also on page 2, in line 19, after "K.S.A." by inserting "22-3402 and K.S.A."; also in line 19, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to time limitations at trial;"; also in line 2, after "K.S.A." by inserting "22-3402 and K.S.A."; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 325** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 325," as follows:

"HOUSE Substitute for SENATE BILL NO. 325

By Committee on Corrections and Juvenile Justice

"AN ACT concerning health care providers; relating to distribution of certain controlled substances to health care providers; relating to mammography examinations; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing the existing sections."; And the substitute bill be passed.

(H Sub for SB 325 was thereupon introduced and read by title.)

Committee on **Education** recommends **SB 155** be amended on page 1, in line 5, by The striking all after "(a)"; by striking all in line 6; in line 7, by striking "and the levying of school taxes,"; in line 8, by striking "each of the school districts as follows:";

by striking all in lines 9 through 22 and by inserting "the first consolidated unified school district of the school districts if the boards of education of two or more school districts form one consolidated unified school district under K.S.A. 72-8701 *et seq.*, and amendments thereto, and the state board of education approves of such consolidation by issuing an order establishing the unified school district in accordance with K.S.A. 72-8704, and amendments thereto, on or before July 1, 2016. Such consolidated unified school district shall be contiguous to the boundaries of the property."; and the bill be passed as amended.

Committee on **Education** recommends **SB 257** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) In each school year, the board of education of each school district shall adopt a local foundation budget. The local foundation budget of each school district shall be determined by the state board as follows:

(1) In school districts which adopt a local option budget under K.S.A. 2011 Supp. 72-6433d, and amendments thereto, the state board shall:

- (A) Determine the adjusted enrollment of the school district;
- (B) multiply the number determined under clause (A) by \$4,433;
- (C) add the amount of state aid for special education or related services received by the school district in school year 2008-2009 to the product obtained under clause (B);
- (D) divide the sum obtained under clause (C) by .90; and
- (E) multiply the sum obtained under clause (D) by .10. The resulting product is the local foundation budget of the school district.

(2) In school districts which adopt a local option budget under K.S.A. 2011 Supp. 72-6433, and amendments thereto, the state board shall:

- (A) Determine the adjusted enrollment of the school district;
- (B) multiply the number determined under clause (A) by the base state aid per pupil; and
- (C) multiply the sum obtained under clause (B) by .10. The resulting product is the local foundation budget of the school district.

Sec. 2. K.S.A. 2011 Supp. 72-6410 is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to 90% of the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) (1) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and \$4,492 in school year 2009-2010 and each school year thereafter. \$4,200.~~

(2) The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per pupil for such school year is subject to reduction commensurate with the amount of the insufficiency.

- (c) "Local effort" means the sum of:
 - (1) An amount equal to the proceeds from the tax levied under authority of K.S.A. 72-6431, and amendments thereto, and;
 - (2) an amount equal to any unexpended and unencumbered balance remaining in the general fund of the district, except amounts received by the district and authorized

to be expended for the purposes specified in K.S.A. 72-6430, and amendments thereto;
~~and;~~

(3) an amount equal to any unexpended and unencumbered balances remaining in the program weighted funds of the district, except any amount in the vocational education fund of the district if the district is operating an area vocational school;~~and;~~

(4) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to the repeal of such statutory sections;~~and;~~

(5) an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district under the provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto;~~and;~~

(6) an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto;~~and;~~

(7) an amount equal to the amount credited to the general fund in the current school year from amounts distributed in such year to the district under the provisions of articles 17 and 34 of chapter 12 of Kansas Statutes Annotated ~~and under the provisions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated, and;~~

(8) an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-979, and amendments thereto;~~and;~~

(9) an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-998, and amendments thereto;

(10) an amount equal to the amount of a grant, if any, received by the district under the provisions of K.S.A. 72-983, and amendments thereto; ~~and~~

(11) an amount equal to 70% of the federal impact aid of the district.

(d) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

Sec. 3. K.S.A. 2011 Supp. 72-6415b is hereby amended to read as follows: 72-6415b. School facilities weighting may be assigned to enrollment of a district only if the district has adopted a local option budget in an amount equal to at least ~~25%~~ 17% of the sum obtained by adding the amount of the state financial aid determined for of the district in and the amount of the local foundation budget for the current school year. School facilities weighting may be assigned to enrollment of the district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

Sec. 4. K.S.A. 2011 Supp. 72-6431 is hereby amended to read as follows: 72-6431. (a) The board of each district shall levy an *ad valorem* tax upon the taxable tangible property of the district in the school years specified in subsection (b) for the purpose of:

(1) Financing the state-level foundation obligation. The state-level foundation

obligation shall be that portion of the district's general fund budget which is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school year 2011-2012 and school year 2012-2013.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the general fund of the district.

(d) On June 6 of each year, the amount, if any, by which a district's local effort exceeds the amount of the district's state financial aid, as determined by the state board, shall be remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 5. K.S.A. 2011 Supp. 72-6433 is hereby amended to read as follows: 72-6433.

(a) As used in this section:

(1) "State prescribed percentage" means ~~34%~~ 18% of ~~state financial aid of the district in the current school year~~ the foundation funding.

(2) "Authorized to adopt a local option budget" means that a district has adopted a resolution under this section, has published the same, and either the resolution was not protested or it was protested and an election was held by which the adoption of a local option budget was approved.

(3) "Foundation funding" means the sum obtained by adding the amount of the state-level foundation obligation and the local foundation budget.

(b) In each school year, the board of any district may adopt a local option budget which does not exceed the state prescribed percentage.

(c) Subject to the limitation of subsection (b), in each school year, the board of any district may adopt, by resolution, a local option budget in an amount not to exceed:

(1) (A) The amount which the board was authorized to adopt in accordance with the provisions of this section in effect prior to its amendment by this act; plus

(B) the amount which the board was authorized to adopt pursuant to any resolution currently in effect; plus

(C) the amount which the board was authorized to adopt pursuant to K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (j).

Except as provided by subsection (e), the adoption of a resolution pursuant to this

subsection shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(d) If the board of a district desires to increase its local option budget authority above the amount authorized under subsection (c) or if the board was not authorized to adopt a local option budget in 2006-2007, the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the ~~amount of state financial aid.~~ foundation funding. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified School District No. _____, _____ County, Kansas, on the ____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled as is appropriate. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(e) (1) Any resolution authorizing the adoption of a local option budget in excess of ~~30%~~ 17% of the ~~state financial aid of the district in the current school year~~ foundation funding shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto.

(2) If a school district adopted a resolution authorizing the adoption of a local

option budget in excess of 30% of the state financial aid, as that term was defined prior to the effective date of this act, of the district and such resolution was submitted to and approved by a majority of the qualified electors of the district voting at an election called and held thereon prior to the effective date of this act, such district may adopt a local option budget in excess of the amount provided by paragraph (1) of this subsection without submitting the resolution to an election. In no case shall the district adopt a resolution authorizing the adoption of a local option budget in excess of 18% of the foundation funding.

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(g) The board of any district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to K.S.A. 72-6435, and amendments thereto, is certified to the county clerk under any existing authorization.

(h) The board of any district that is authorized to adopt a local option budget prior to the effective date of this act under a resolution which authorized the adoption of such budget in accordance with the provisions of this section in effect prior to its amendment by this act may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section as amended by this act. Any such district shall operate under the provisions of this section as amended by this act after the period of time specified in the resolution has expired.

(i) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions which are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(j) (1) There is hereby established in every district that adopts a local option budget a fund which shall be called the supplemental general fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitation imposed under paragraph (3) and subsection (e) of K.S.A. 72-6434, and amendments thereto, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any program weighted fund or categorical fund of the district. Amounts in the supplemental general fund attributable to any percentage over ~~25%~~ 17% of ~~state financial aid determined for the current school year~~ the foundation funding may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of ~~25%~~ 17%.

(3) Amounts in the supplemental general fund may not be expended for the purpose

of making payments under any lease-purchase agreement involving the acquisition of land or buildings which is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in paragraph (B), any unexpended budget remaining in the supplemental general fund of a district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the district received supplemental general state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the district for the school year and multiply the total amount of the unexpended budget remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the district or remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(k) Each year the state board of education shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(l) In school year 2012-2013, a school district may adopt a local option budget in an amount equal to the amount of the local option budget the district was authorized to adopt in school year 2011-2012 less an amount equal to the local foundation budget of the school district. To the extent the provisions of this subsection conflict with any other provisions of this section, this subsection shall control.

~~—(4) (m)~~ The provisions of this section shall be subject to the provisions of K.S.A. 2011 Supp. 72-6433d, and amendments thereto.";

Also on page 1, following line 31, by inserting:

"Sec. 7. K.S.A. 2011 Supp. 72-6435 is hereby amended to read as follows: 72-6435. (a) In each school year, the board of every district that has adopted a local option budget may levy an *ad valorem* tax on the taxable tangible property of the district for the purpose of: (1) Financing that portion of the district's local option budget which is not financed from any other source provided by law; (2) financing that portion of the district's local foundation budget which is not financed from any other source provided by law; (3) paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district; and ~~(3)-(4)~~ funding transfers to the capital improvement fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of ~~25%~~ 17% of state financial aid determined for the ~~current school year.~~ the foundation funding.

(b) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the supplemental general fund of the district.

(c) In the school years specified in K.S.A. 72-6431, and amendments thereto, upon deposit of the proceeds from the tax levied pursuant to this section in the supplemental general fund, an amount equal to the local foundation budget, as established in section 1, and amendments thereto, shall be transferred to the general fund of the district. Such

transfer shall be deemed a reimbursement of general operating expenses.

(d) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments to such sections.

Sec. 8. K.S.A. 2011 Supp. 72-6449 is hereby amended to read as follows: 72-6449.

(a) As used in this section, "school district" or "district" means a school district authorized to make a levy under this section.

(b) The board of education of any district may levy a tax on the taxable tangible property within the district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost of living weighting to the enrollment of the district. There is hereby established in every school district a fund which shall be called the cost of living fund, which fund shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost of living fund. The proceeds from the tax levied by a district credited to the cost of living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(c) The state board of education shall determine whether a district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under paragraph (1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) (A) subtract the amount determined under paragraph (2) from the amount determined under paragraph (3). If the amount determined for the district under this paragraph is a positive number and the district is authorized to adopt and has adopted a local option budget in an amount equal to at least ~~31%~~18% of the ~~state financial aid for the school district foundation funding~~, the district qualifies for assignment of cost of living weighting and may levy a tax on the taxable tangible property of the district for the purpose of financing the costs that are attributable directly to assignment of the cost of living weighting to enrollment of the district; or

(B) as an alternative to the authority provided in paragraph (4)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to levy such tax at a rate necessary to generate revenue in the same amount generated in school year 2006-2007 if: (i) The amount determined under paragraph (4)(A) is a positive number; and (ii) the district continues to adopt a local option budget in an amount equal to ~~the state prescribed percentage in effect in school year 2006-2007~~ 17% of the foundation funding.

(d) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form: Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an *ad valorem* tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost of living weighting to the enrollment of the district. The *ad valorem* tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the *ad valorem* tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision are in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast are not in favor of the resolution, the resolution shall be deemed of no effect and no like resolution shall be adopted by the board within the nine months following such election.

(e) In determining the amount produced by the tax levied by the district under the authority of this section, the state board shall include any moneys which have been apportioned to the cost of living fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.

Sec. 9. K.S.A. 2011 Supp. 72-6451 is hereby amended to read as follows: 72-6451. (a) As used in this section:

(1) "School district" or "district" means a school district which: (A) Has a declining enrollment; and (B) has adopted a local option budget in an amount which equals at least ~~31%~~18% of the ~~state financial aid for the school district~~ foundation funding at the time the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(2) "Declining enrollment" means an enrollment which has declined in amount from that of the preceding school year.

attributable to assignment of declining enrollment weighting to enrollment of the district. The state court of tax appeals may authorize the district to make a levy which will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the district. Such amount shall not exceed 5% of the general fund budget of the district in the school year in which the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(B) As an alternative to the authority provided in paragraph (1)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to make a levy at a rate necessary to generate revenue in the same amount that was generated in school year 2007-2008 if the district adopts a local option budget in an amount equal to the state prescribed percentage in effect in school year 2006-2007.

(2) The state court of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state court of tax appeals pursuant to this section.

(c) A district may levy the tax authorized pursuant to this section for a period of time not to exceed two years unless authority to make such levy is renewed by the state court of tax appeals. The state court of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(d) The state board shall provide to the state court of tax appeals such school data and information requested by the state court of tax appeals and any other information deemed necessary by the state board.

(e) There is hereby established in every district a fund which shall be called the declining enrollment fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a district under authority of this section shall be credited to the declining enrollment fund of the district. The proceeds from the tax levied by a district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(f) In determining the amount produced by the tax levied by the district under authority of this section, the state board shall include any moneys which have been apportioned to the declining enrollment fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 1, in line 32, by striking "72-6433d is" and inserting "72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449, 72-6451 and 72-6442b are";

Also on page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking "budget" and inserting "school finance"; also in line 2, by striking "72-6433d" and inserting "72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449 and 72-6451"; in line 3, by striking "section" and inserting "sections"; also repealing K.S.A. 2011 Supp. 72-6442b"; and the bill be passed as amended.

Education Budget Committee recommends **HB 2773** be amended on page 1, by striking all in lines 9 through 36;

On page 2, by striking all in lines 1 through 12;

On page 3, in line 12, before "2012" by inserting "2011, or June 30, "; also in line 12, by striking "school year"; in line 13, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 29, before "2012" by inserting "2011, or June 30, "; in line 30, by striking "school year"; also in line 30, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 5, in line 2, before "2012" by inserting "2011, or June 30, "; in line 3, by striking "school year"; also in line 3, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 31, before "2012" by inserting "2011, or June 30, "; in line 32, by striking "school year"; also in line 32, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 6, in line 26, before "2012" by inserting "2011, or June 30, "; in line 27, by striking "school year"; also in line 27, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 7, in line 20, before "2012" by inserting "2011, or June 30, "; also in line 20, by striking "school year"; in line 21, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 8, in line 12, before "2012" by inserting "2011, or June 30, "; also in line 12, by striking "school year"; also in line 12, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 25, before "2012" by inserting "2011, or June 30, "; in line 26, by striking "school year"; also in line 26, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 9, in line 14, before "2012" by inserting "2011, or June 30, "; in line 15, by striking "school year"; also in line 15, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; by striking all in lines 18 through 43;

By striking all on pages 10 through 12;

On page 13, by striking all in lines 1 through 3; in line 5, by striking "year"; also in line 5, before "2012-2013" by inserting "years 2011-2012 and"; in line 24, by striking ", provided, that" and inserting ". For school year 2011-2012, "; in line 29, by striking "2011-2012" and inserting "2010-2011";

On page 14, in line 1, by striking "year"; also in line 1, before "2012-2013" by inserting "years 2011-2012 and"; in line 6, after "for" by inserting "the current"; also in line 6, by striking "2012-"; in line 7, by striking "2013"; in line 9, by striking "fiscal year"; also in line 9, by striking "2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 13, after "for" by inserting "the immediately preceding"; also in line 13, by striking "2011-"; in line 14, by striking "2012"; in line 19, by striking "fiscal year 2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 25, after "for" by inserting "the immediately preceding"; also in line 25, by striking "2011-2012"; in line 31, after "for" by inserting "the current"; also in line 31, by striking "2012-2013"; in line 36, by striking "fiscal year 2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 40, after "in" by inserting "the current"; also in line 40, by striking "2012-2013";

On page 15, in line 30, before "2012" by inserting "2011, or June 30, "; in line 31, by striking "school year"; also in line 31, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 16, in line 18, before "2012" by inserting "2011, or June 30, "; also in line 18, by striking "school year"; also in line 18, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 39, before "2012" by inserting

"2011, or June 30,"; in line 40, by striking "school year"; also in line 40, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 17, in line 18, before "2012" by inserting "2011, or June 30,"; in line 19, by striking "school year"; also in line 19, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

And renumbering sections accordingly;

Also on page 17, in line 23, by striking "72-6433,"; in line 26, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 2, by striking "relating to the local option budget,"; in line 4, by striking "72-6433,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 387** be passed.

Committee on **Federal and State Affairs** recommends **HB 2598** be amended on page 1, in line 10, by striking "7" and inserting "6";

On page 2, in line 6, after "abortion." by inserting "Nothing in this subsection shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity. For purposes of this act only, such physicians shall be considered as acting outside the scope of their official employment in such actions. This provision regarding physicians enrolled in a residency program shall remain in effect through June 30, 2013."; in line 7, by striking "7" and inserting "6"; in line 12, by striking "7" and inserting "6"; in line 20, by striking "7" and inserting "6"; by striking all in lines 23 through 27;

On page 4, in line 18, by striking "2011" and inserting "2012";

On page 6, in line 11, by striking "licensed to practice psychology; (3) licensed to"; by striking all in lines 12 through 14; in line 15, by striking "work; (7) registered to practice marriage and family therapy; (8)" and inserting "licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master's level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4)"; in line 16, by striking "(9)" and inserting "(5)"; in line 25, by striking all after "(f)"; by striking all in lines 26 through 31; in line 32, by striking "irreversible impairment of a major bodily function."; and inserting ""Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy without first determining gestational age to avert her death or for which a delay necessary to determine gestational age will create serious risk of substantial and irreversible physical impairment of a major bodily function."; in line 43, by striking "registered" and inserting "licensed"; also in line 43, after "counselor," by inserting "licensed marriage and family therapist, licensed master's level psychologist, licensed clinical psychotherapist,";

On page 9, in line 43, after "irreversible" by inserting "physical";

On page 12, in line 31, after "department." by inserting "The total number of certifications shall be reported by the physician as part of the written report made by the physician to the secretary of health and environment under K.S.A. 65-445, and

amendments thereto."; in line 32, after "received" by inserting "and the number of women who decided not to have an abortion after hearing the heartbeat of the unborn child";

On page 13, by striking all in lines 33 through 43;

On page 14, by striking all in lines 1 through 9;

And by redesignating subsections accordingly;

On page 24, in line 5, by striking "2011" and inserting "2012"; in line 13, by striking "2011" and inserting "2012";

On page 29, in line 28, by striking "2011" and inserting "2012";

On page 33, in line 30, by striking "2011" and inserting "2012";

On page 39, in line 26, by striking "2011" and inserting "2012";

On page 48, in line 24, by striking "2011" and inserting "2012";

On page 49, in line 7, by striking "2011" and inserting "2012";

On page 55, in line 18, by striking "2011" and inserting "2012";

On page 67, following line 42, by inserting:

"Sec. 22. K.S.A. 2011 Supp. 76-3308 is hereby amended to read as follows: 76-3308.

(a) The authority shall have all the powers necessary to carry out the purposes and provisions of this act, including, without limitation, the following powers to:

(1) Have the duties, privileges, immunities, rights, liabilities and disabilities of a body corporate and a political instrumentality of the state;

(2) have perpetual existence and succession;

(3) adopt, have and use a seal and to alter the same at its pleasure;

(4) sue and be sued in its own name;

(5) make and execute contracts, guarantees or any other instruments and agreements necessary or convenient for the exercise of its powers and functions including, without limitation, to make and execute contracts with hospitals or other health care businesses to operate and manage any or all of the hospital facilities or operations and to incur liabilities and secure the obligations of any entity or individual;

(6) borrow money and to issue bonds evidencing the same and pledge all or any part of the authority's assets therefor;

(7) purchase, lease, trade, exchange or otherwise acquire, maintain, hold, improve, mortgage, sell, lease and dispose of personal property, whether tangible or intangible, and any interest therein; and to purchase, lease, trade, exchange or otherwise acquire real property or any interest therein, and to maintain, hold, improve, mortgage, lease and otherwise transfer such real property, so long as such transactions do not conflict with the mission of the authority as specified in this act;

(8) incur or assume indebtedness to, and enter into contracts with the Kansas development finance authority, which is authorized to borrow money and provide financing for the authority;

(9) develop policies and procedures generally applicable to the procurement of goods, services and construction, based upon sound business practices;

(10) contract for and to accept any gifts, grants and loans of funds, property, or any other aid in any form from the federal government, the state, any state agency, or any other source, or any combination thereof, and to comply with the provisions of the terms and conditions thereof;

(11) acquire space, equipment, services, supplies and insurance necessary to carry out the purposes of this act;

(12) deposit any moneys of the authority in any banking institution within or without the state or in any depository authorized to receive such deposits, one or more persons to act as custodians of the moneys of the authority, to give surety bonds in such amounts in form and for such purposes as the board requires;

(13) procure such insurance, participate in such insurance plans or provide such self insurance or both as it deems necessary or convenient to carry out the purposes and provisions of this act; the purchase of insurance, participation in an insurance plan or creation of a self-insurance fund by the authority shall not be deemed as a waiver or relinquishment of any sovereign immunity to which the authority or its officers, directors, employees or agents are otherwise entitled;

(14) appoint, supervise and set the salary and compensation of a president of the authority who shall be appointed by and serve at the pleasure of the board;

(15) fix, revise, charge and collect rates, rentals, fees and other charges for the services or facilities furnished by or on behalf of the authority, and to establish policies and procedures regarding any such service rendered for the use, occupancy or operation of any such facility; such charges and policies and procedures not to be subject to supervision or regulation by any commission, board, bureau or agency of the State; and

(16) do any and all things necessary or convenient to carry out the authority's purposes and exercise the powers given in this act.

(b) The authority may create, own in whole or in part, or otherwise acquire or dispose of any entity organized for a purpose related to or in support of the mission of the authority.

(c) The authority may participate in joint ventures with individuals, corporations, governmental bodies or agencies, partnerships, associations, insurers or other entities to facilitate any activities or programs consistent with the public purpose and intent of this act.

(d) The authority may create a nonprofit entity or entities for the purpose of soliciting, accepting and administering grants, outright gifts and bequests, endowment gifts and bequests and gifts and bequests in trust which entity or entities shall not engage in trust business.

(e) In carrying out any activities authorized by this act, the authority may provide appropriate assistance, including the making of loans and providing time of employees, to corporations, partnerships, associations, joint ventures or other entities, whether or not such corporations, partnerships, associations, joint ventures or other entities are owned or controlled in whole or in part, directly or indirectly, by the authority.

(f) Effective with the transfer date, all moneys of the authority shall be deposited in one or more banks or trust companies in one or more special accounts. All banks and trust companies are authorized to give security for such deposits if required by the authority. The moneys in such accounts shall be paid out on a warrant or other orders of the treasurer of the authority or any such other person or persons as the authority may authorize to execute such warrants or orders.

(g) Notwithstanding any provision of law to the contrary, the authority, effective with the transfer date, may invest the authority's operating funds in any obligations or securities as authorized by the board. The board shall adopt written investment guidelines.

(h) The authority is authorized to negotiate contracts with one or more qualified parties to provide collection services. The selection of a collection services provider

shall be based on responses to a request for proposals from qualified professional firms and shall be administered in accordance with policies adopted by the board.

(i) Notwithstanding any provision of law to the contrary, no abortion shall be performed, except in the event of a medical emergency, in any medical facility, hospital or clinic owned, leased or operated by the authority. The provisions of this subsection are not applicable to any member of the physician faculty of the university of Kansas school of medicine on property not owned, leased or operated by the authority. As used in this subsection, "medical emergency" ~~means a pregnant woman's medical condition that, on the basis of a physician's good-faith clinical judgment, necessitates an immediate abortion to avert the woman's death or to avert a serious risk of substantial and irreversible impairment of a major bodily function~~ has the meaning as defined in K.S.A. 65-6701, and amendments thereto.

New Sec. 23. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.";

And by renumbering sections accordingly;

On page 68, in line 1, after "65-6710," by inserting "76-3308,";

On page 1, in the title, in line 4, following "65-6710," by inserting "76-3308,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 269** be amended on page 1, following line 36, by inserting:

"(c) The holder of a retailer's license or such licensee's employees, managers or agents shall not, directly or indirectly, have any financial interest in a club, drinking establishment, farm winery, microbrewery, caterer or holder of a temporary license, except as provided in K.S.A. 41-2623, and amendments thereto. When the spouse of the holder of a retailer's license applies for a club or drinking establishment license or a caterer's license, each spouse must file with the director an affidavit of no financial interest.";

And by redesignating subsections accordingly;

On page 2, by striking all in lines 33 through 37;

And by renumbering paragraphs accordingly;

On page 3, following line 4, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9), (12) or (13) of K.S.A. 41-311, and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) Any person who has a beneficial interest in a microbrewery or farm winery licensed pursuant to the Kansas liquor control act may be issued any or all of the following: (1) Class B club license; (2) drinking establishment license; and (3) caterer's license.

(F) The spouse of a retailer's license may be issued any or all of the following: (i) Drinking establishment license; and

(ii) caterer's license.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311, and amendments thereto shall not apply in determining whether a beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person who does not own the premises for which a license is sought, or does not, at the time the application is submitted, have a written lease thereon, except that an applicant seeking a license for a premises which is owned by a city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises may submit an executed agreement to provide alcoholic beverage services at the premises listed in the application in lieu of a lease.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.

Sec. 4. K.S.A. 2011 Supp. 41-305 is hereby amended to read as follows: 41-305. (a) A manufacturer's license shall allow the manufacture and storage of alcoholic liquor and cereal malt beverage and the sale of alcoholic liquor and cereal malt beverage to distributors and nonbeverage users licensed in this state and to such persons outside this state as permitted by law.

(b) A manufacturer's license also shall allow the serving free of charge on the licensed premises of samples of alcoholic liquor manufactured by the licensee, provided the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Samples shall be served by the licensee, or an employee or agent thereof. No sample shall be served to an individual who is a minor. No individual shall remove all or any portion of a sample from the licensed premises. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises.

(c) A person holding a farm winery license issued pursuant to K.S.A. 41-308a, and amendments thereto, may also be issued a manufacturer's license; provided, that no alcoholic liquor or cereal malt beverage manufactured by such licensee shall be sold by such licensee at its licensed premises or at any of such licensee's winery outlets.";

And by renumbering sections accordingly;

Also on page 3, in line 5, by striking "is" and inserting "and K.S.A. 2011 Supp. 41-305 and 41-2623 are";

On page 1, in the title, in line 2, after "41-308" by inserting "and K.S.A. 2011 Supp. 41-305 and 41-2623"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 277** be amended on page 10, following line 16, by inserting:

"Sec. 9. K.S.A. 2011 Supp. 41-311 is hereby amended to read as follows: 41-311.

(a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who has not been a citizen of the United States for at least 10 years, except that the spouse of a deceased retail licensee may receive and renew a retail license notwithstanding the provisions of this subsection (a)(1) if such spouse is otherwise qualified to hold a retail license and is a United States citizen or becomes a United States citizen within one year after the deceased licensee's death;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of the liquor control act, the beer and cereal malt beverage keg registration act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not, at the time of application, have a written lease thereon;

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license;

(13) whose spouse has been convicted of a felony or other crime which would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act; or

(14) who does not provide any data or information required by K.S.A. 2011 Supp. 41-311b, and amendments thereto.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has a beneficial interest in a manufacturer, distributor, farm winery or microbrewery licensed under this act, except that the spouse of an applicant for a retailer's license may own and hold a farm winery license, microbrewery license, or both, if the spouse does not hold a retailer's license issued under this act;

(4) a person who has a beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(5) a copartnership, unless all of the copartners are qualified to obtain a license;

(6) a corporation; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all

the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state;

(5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application; or

(6) a person who has a beneficial interest in a distributor, retailer, farm winery or microbrewery licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason other than citizenship and residence requirements, provided that at least one officer and one director of the corporation meets the citizenship and residence requirements. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a manufacturer, retailer, farm winery or microbrewery licensed under this act.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage

user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license or farm winery license shall be issued to a:

(1) Person who is not a resident of this state;

(2) person who has not been a resident of this state for at least one year immediately preceding the date of application;

(3) person who has a beneficial interest in a manufacturer or distributor licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto;

(4) person, copartnership or association which has a beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, except that the spouse of an applicant for a microbrewery or farm winery license may own and hold a retailer's license if the spouse does not hold a microbrewery or farm winery license issued under this act;

(5) copartnership, unless all of the copartners are qualified to obtain a license;

(6) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (f)(1), (f)(2) and K.S.A. 2011 Supp. 41-311b, and amendments thereto, shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.";

And by renumbering sections accordingly;

In line 18, after "41-310," by inserting "41-311,";

On page 1, in the title, in line 3, after "41-310," by inserting "41-311,"; and the bill be

passed as amended.

Committee on **Federal and State Affairs** recommends **SB 288** be amended on page 5, following line 11, by inserting:

"Sec. 4. On and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a microbrewery or farm winery, if authorized by K.S.A. 41-308a or 41-308b, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding

premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies

adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.";

On page 5, in line 12, following "K.S.A." by inserting "41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340, 41-341,"; following line 13, by inserting:

"Sec. 6. On and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating to sales of alcoholic" in line 2, by striking all before "amending" in line 3, following "Supp." by inserting "41-719 and"; in line 4, following "sections" by inserting: "; also repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 345** be passed.

Committee on **Financial Institutions** recommends **SB 287** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 287," as follows:

"HOUSE Substitute for SENATE BILL NO. 287

By Committee on Financial Institutions

"AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2234 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267."; and the substitute bill be passed.

(H Sub **SB 287** was thereupon introduced and read by title.)

Committee on **Financial Institutions** recommends **SB 315** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 315," as follows:

"HOUSE Substitute for SENATE BILL NO. 315

By Committee on Financial Institutions

"AN ACT concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections."; and the substitute bill be passed.

(**H Sub SB 315** was thereupon introduced and read by title.)

Committee on **Insurance** recommends **HB 2764** amended on page one, following line 5, by inserting:

"New Section 1. (a) The secretary of the department of social and rehabilitation services, or any successor agency, is hereby authorized and directed to study and identify the number of individuals in Kansas who need this coverage and the cost of providing treatment for autism to people in the state of Kansas. Such study shall include a determination of the actual cost of providing coverage for the treatment and diagnosis of autism spectrum disorders in any individual in the state of Kansas whose age is less than 19 years. The coverage and level of service for the treatment and diagnosis of autism spectrum disorders required by this subsection shall be the same as the coverage and level of service required by section 2, and amendments thereto.

(b) The secretary of the department of social and rehabilitation services, or any successor agency, shall prepare and submit a report containing the secretary's findings and recommendations. This report shall be submitted to the president of the senate, the speaker of the house of representatives, the senate committee on ways and means and the house of representatives committee on appropriations on or before January 20, 2013.";

On page 3, in line 33, by striking "1" and inserting "2";

On page 4, in line 9, by striking "1" and inserting "2";

And renumbering sections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 403** be passed.

Committee on **Judiciary** recommends **HB 2741** be amended on page 18, in line 15, by striking "section"; in line 16, by striking "6, and amendments thereto,"; in line 17, before "shall" by inserting "this article"; in line 29, after "prior" by inserting "child support";

On page 20, in line 11, after "(a)" by inserting "*Parents.*"; in line 15, after "(b)" by inserting "*Enforcement of rights.*"; also in line 15, by striking "visitation rights under K.S.A. 23-3301, and"; in line 16, by striking "amendments thereto, or"; in line 17, by striking "section 6, and amendments thereto," and inserting "this article"; in line 20, after "(c)" by inserting "*Court-ordered exchange or parenting time at a child exchange and visitation center.*"; also in line 20, by striking "visitation" and inserting "parenting time";

On page 21, in line 41, by striking "section 6,"; in line 42, by striking "and amendments thereto," and inserting "this article";

On page 22, in line 11, by striking "pursuant to"; in line 13, by striking "section 6, and amendments thereto," and inserting "under this article"; in line 32, by striking "pursuant to K.S.A. 2011 Supp."; in line 33, by striking "23-3201"; in line 34, by striking "through 23-3207"; also in line 34, by striking "and 23-3218 and section 6, and amendments"; in line 35, by striking "thereto" and inserting "under this article"; in line 36, by striking "K.S.A. 2011 Supp."; in line 37, by striking "23-3001 through 23-"; in line 38, by striking "3006, 23-3201 through 23-3207"; also in line 38, by striking "and 23-3218 and section 6, and"; in line 39, by striking "amendments thereto" and inserting "this article"; in line 41, by striking "pursuant to K.S.A. 2011 Supp."; in line 42, by striking "23-3201 through 23-"; in line 43, by striking "3207"; also in line 43, by striking "and 23-3218 and section 6, and amendments thereto," and inserting "under this article";

On page 24, in line 33, by striking "shall be binding and"; in line 36, by striking "section"; in line 37, by striking "6" and inserting "article 32 or article 33 of chapter 23 of the Kansas Statutes Annotated"; in line 40, after "rights" by inserting "under article 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto,"; also in line 40, by striking "pursuant to"; in line 41, by striking "section 6" and inserting "under article 32 of chapter 23 of the Kansas Statutes Annotated"; in line 43, by striking ", and amendments thereto";

On page 71, in line 30, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HCR 5006** be amended by adoption of the amendments recommended by the House Committee on Judiciary as reported in the Journal of the House on February 18, 2011, and the bill, as printed with amendments by House Committee, be further amended on page 1, in line 17, by striking "or as may be required by the"; in line 18, by striking "constitution of the United States"; in line 25, by striking "or as may"; in line 26, by striking "be required by the constitution of the United States"; in line 35, by striking "or as may be required by";

On page 2, in line 1, by striking "the constitution of the United States"; and the resolution be adopted as amended.

Committee on **Judiciary** recommends **SB 62** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 62," as follows:

"HOUSE Substitute for SENATE BILL NO. 62

By Committee on Judiciary

"AN ACT concerning medical care facilities; relating to abortion; sterilization; amending K.S.A. 65-443, 65-446 and 65-447 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub SB 62** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 142** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 142," as follows:

"HOUSE Substitute for SENATE BILL NO. 142

By Committee on Judiciary

"AN ACT concerning civil procedure; relating to exercise of religion."; and the substitute bill be passed.

(**H Sub SB 142** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 160** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 160," as follows:

"HOUSE Substitute for SENATE BILL NO. 160

By Committee on Judiciary

"AN ACT concerning real property; relating to trespass and liability; exceptions; amending K.S.A. 58-3201 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 160** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 262** be amended on page 1, in line 6, after "parent" by inserting "and not placed with the child's other parent"; also in line 6, after "grandparent" by inserting "who requests custody"; in line 7, by striking "consideration" and inserting "preference";

Also on page 1, following line 20, by inserting:

"(c) If the court does not give custody of a child to a grandparent pursuant to

subsection (b) and the child is placed in the custody of the secretary of social and rehabilitation services, a grandparent who requests placement of the child in such grandparent's home shall receive preference in the evaluation of the secretary's placement of the child. The secretary shall consider all relevant factors, including, but not limited to, all factors listed in subsection (b) in deciding whether to place the child in the home of such grandparent. If the secretary decides that the child is not to be placed in the home of such grandparent, the secretary shall prepare and maintain a written report providing the specific reasons for such placement.";

And by relettering subsections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 304** be amended on page 3, in line 41, by striking "master" and inserting "masters";

On page 4, in line 1, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 3, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 7, by striking "the"; in line 8, by striking "effective date of this act" and inserting "January 1, 2013";

On page 5, in line 43, by striking "master" and inserting "masters";

On page 6, in line 6, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 7, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 12, by striking "the effective date of this act" and inserting "January 1, 2013";

On page 10, by striking all in lines 25 through 43;

By striking all on page 11;

On page 12, by striking all in lines 1 through 27;

On page 13, in line 20, after "program" by inserting ", unless otherwise ordered by the court or department of corrections"; in line 33, after the second "program" by inserting ", unless otherwise ordered by the court or department of corrections";

On page 22, in line 40, by striking "and any other evaluation";

On page 23, in line 24, by striking "or in the municipal court";

On page 24, following line 3, by inserting:

"Sec. 17. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby amended to read as follows: 23-3508. (a) The court may order case management, when appropriate, of any contested issue of child custody or parenting time at any time, upon the motion of a party or on the court's own motion. A hearing officer in a proceeding pursuant to K.S.A. 2011 Supp. 23-3401, and amendments thereto, may order case management, if appropriate, of a contested issue of child visitation or parenting time in such a proceeding.

(b) Cases in which case management is appropriate shall include one or more of the following circumstances:

(1) Private or public neutral dispute resolution services have been tried and failed to resolve the disputes;

(2) other neutral services have been determined to be inappropriate for the family;

(3) repetitive conflict occurs within the family, as evidenced by the filing of at least two motions in a six-month period for enforcement, modification or change of residency, visitation, parenting time or custody which are denied by the court; or

(4) a parent exhibits diminished capacity to parent.

(c) If the court or hearing officer orders case management under subsection (a), the court or hearing officer shall appoint a case manager, taking into consideration the

following:

(1) An agreement by the parties to have a specific case manager appointed by the court or hearing officer;

(2) the financial circumstances of the parties and the costs assessed by the case manager;

(3) the case manager's knowledge of (A) the Kansas judicial system and the procedure used in domestic relations cases, (B) other resources in the community to which parties can be referred for assistance, (C) child development, (D) clinical issues relating to children, (E) the effects of divorce on children and (F) the psychology of families; and

(4) the case manager's training and experience in the process and techniques of alternative dispute resolution and case management.

(d) To qualify as an appointed case manager, an individual shall:

(1) (A) Be currently licensed in Kansas as a licensed psychologist, licensed masters level psychologist, licensed clinical psychotherapist, licensed professional counselor, licensed clinical professional counselor, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed master social worker or licensed specialist social worker; or

(B) be currently licensed to practice law in Kansas and have at least five years of experience in the field of domestic relations law or family law;

~~(1) (2)~~ be qualified to conduct mediation;

~~(2) (3)~~ have experience as a mediator mediated at least five domestic relations cases;

~~(3) (4)~~ attend a workshop attend one or more workshops, approved and as ordered by the district court in which the case is filed, on case management; and

~~(4) (5)~~ participate in continuing education complete a minimum number of continuing education hours regarding case management issues as established and approved by the supreme court.";

(e) On and after September 1, 2012, any case manager appointed by the court prior to, on or after the effective date of this section shall meet the requirements of subsection (d).

Sec. 18. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 24, in line 4, by striking "12-4509,";

On page 1, in the title, in line 1, by striking "violence" and inserting "relations"; in line 2, before "amending" by inserting "case management,;" also in line 2, by striking "12-4509,"; in line 3, by striking "and 22-4616" and inserting ", 22-4616 and 23-3508"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 114** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 114," as follows:

"HOUSE Substitute for SENATE BILL NO. 114

By Committee on Local Government

"AN ACT concerning counties; relating to certain solid waste disposal areas."; and the substitute bill be passed.

(**H Sub for SB 114** was thereupon introduced and read by title.)

Committee on **Local Government** recommends **SB 207** be amended on page 1, in

line 16, after "after" by inserting "January 1, 2013, and"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 341** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 341," as follows:

"HOUSE Substitute for SENATE BILL NO. 341

By Committee on Local Government

"AN ACT concerning governmental organization; relating to consolidation; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904, 12-3909 and 19-205 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 341** was thereupon introduced and read by title.)

Committee on **Redistricting** recommends **SB 344** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 344," as follows:

"HOUSE Substitute for SENATE BILL NO. 344

By Committee on Redistricting

"AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142."; and the substitute bill be passed.

(**H Sub SB 344** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2560** be amended on page 11, in line 22, by striking "2013, and all tax years thereafter" and inserting "'years 2013 through 2018"; in line 37, by striking "2013, and all tax years thereafter" and inserting "years 2013 through 2018"; in line 38, by striking "It" and inserting "If";

On page 12, in line 11, by striking "year 2011, and all tax years thereafter" and inserting "years 2013 through 2018"; after line 16, by inserting the following:

"(e) For tax year 2019, and all tax years thereafter, there shall be no income tax imposed under the provisions of this section.";

On page 19, after line 37, by inserting the following:

"(xx) For all taxable years commencing after December 31, 2012, the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code and as claimed and allowed as an itemized deduction on the taxpayer's form 1040 federal income tax return pursuant to section 163 of the federal internal revenue code."; 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. 99, by Representative Hermanson, commending Dr. Greg Larkin for his outstanding ability to provide exceptional patient care for Physicians Development Group;

Request No. 100, by Representative Hermanson, commending the Blues Brothers Real Estate Team on outstanding community and civic leadership;

Request No. 101, by Representative Hermanson, commending Matt Lillie for exceptional planning and innovative design for Physicians Development Group;

Request No. 102, by Representative Hermanson, commending Fred Hermes for

exceptional management skills for Physicians Development Group;

Request No. 103, by Representative Kelly, congratulating the Independence Public Library on receiving the 2012 Library Journal's award for "Best Small Library in America" sponsored by the Bill and Linda Gates Foundation;

Request No. 104, by Representative Schwartz, congratulating Frankfort Boys Basketball Team for winning the Class 1A Boys Basketball Division II State Tournament Championship;

Request No. 105, by Representative Goico, congratulating John Morgan on achieving the rank of Eagle Scout;

Request No. 106, by Representative Brown, congratulating Alexander T. Whitten on achieving the rank of Eagle Scout;

Request No. 107, by Representative O'Brien, congratulating Bailey Kiefer on receiving the Girl Scout Gold Award;

Request No. 108, by Representative O'Brien, congratulating Megan Woods on receiving the Girl Scout Gold Award;

Request No. 109, by Representative O'Brien, congratulating Holley Thompson on receiving the Girl Scout Gold Award;

Request No. 110, by Representative O'Brien, congratulating Annie Watkins on receiving the Girl Scout Gold Award;

Request No. 111, by Representative Vickrey, congratulating Tyler Hennes for being selected as a Scholar Athlete by the Greater Kansas City Football Coaches Association;

Request No. 112, by Representative Vickrey, congratulating Garrett Griffin for being selected as a Scholar Athlete by the Greater Kansas City Football Coaches Association;

Request No. 113, by Representative Vickrey, congratulating the Panther Robotics of Paola High School for winning the Chairman's Award from the 2012 Greater Kansas City Regional for FIRST;

Request No. 114, by Representative Calloway, congratulating Elsie Mae Knapp on celebrating her 100th birthday;

Request No. 115, by Representatives Carlin and Phillips, commending Dawson Adams for rescuing a two year old drowning victim from the bottom of a swimming pool on December 31, 2011;

Request No. 116, by Representative Pottorff, congratulating Kapuan Mt. Carmel Girls' Basketball Team for winning the 2012 State 5A Championship;

Request No. 117, by Representative Bowers, congratulating Trish Remley, in recognition for Grassland Gardens Nursery and Flower Farm being named 2011 Existing Business of the year by KSBDC;

Request No. 118, by Representative Burgess, congratulating Silver Lake High School on being the Girls 3A State Basketball Champions for 2011-2012;

Request No. 119, by Representatives Carlin and Phillips, commending Sandra Vidal for performing lifesaving cpr on a two year old drowning victim at a swimming pool on December 31, 2011;

Request No. 120, by Representative Burgess, congratulating all the members of the Silver Lake Girls' Basketball Team on winning the 3A State Basketball Championship for 2011-2012;

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. Siegfried, the committee report was adopted.

MESSAGE FROM THE SENATE

Announcing passage of **SB 311, SB 314, SB 379, SB 390; Sub SB 397; SB 431, SB 436.**

Announcing passage of **HB 2465; Sub HB 2470; HB 2599, HB 2612, HB 2618, HB 2683, HB 2737.**

Announcing passage of **Sub HB 2427, as amended; HB 2432, as amended; HB 2461, as amended; HB 2557, as amended; HB 2704, as amended.**

Announcing rejection of **HB 2417.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 311, SB 314, SB 379, SB 390; Sub SB 397; SB 431, SB 436.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 102, SB 145** from Committee on Elections and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2521, HB 2634 reported correctly engrossed March 16, 2012.

REPORT ON ENROLLED BILLS

HB 2535 reported correctly enrolled, properly signed and presented to the Governor on March 16, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Monday, March 19, 2012.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

