

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 12, 2014, 11:00 a.m.

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

The roll was called with 120 members present.

Reps. Edwards, Houston and Perry were excused on verified illness.

Reps. Estes and Sloan were excused on legislative business.

Present later: Rep. Estes.

Prayer by guest chaplain, the Rev. William Johnson, Great Bend, guest of Rep. Edmonds:

O God we humbly acknowledge your presence and blessings in all things. What a blessing we have to live in Kansas. What gifts Kansas gives to the nation and world in agriculture, science and technology, education, nature, sports, aeronautics and so much more.

Thank you for these servants gathered here who serve the great state of Kansas. Bless and strengthen them in the stresses and strains of life and in the service of their office. Grant them wisdom, knowledge and knowledge of past experiences to guide them.

Look with favor on every person everywhere in their service to the state. Grant them safety and guidance in their labors.

Keep before us the assurance that happiness and satisfaction grows deepest in the soil of service to others.

We pray these things in your Almighty name. AMEN.

The Pledge of Allegiance was led by Rep. Kelly.

INTRODUCTION OF GUESTS

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

It's my pleasure to welcome a group of delegates from Serbia who are visiting the Augusta/Wichita area as part of an exchange program sponsored by Open World. These ladies are leaders in their communities and are spending a week here to learn how to bring about economic and social development.

I would like to introduce the following delegates:

Ankica Agic, Marija Dasic, Tamara Glisic, Iva Radic and Dina Ratkin. They are

joined today by their facilitator Tatjana Bakraclic who is also from Serbia and Emese Purger from Washington DC who is serving as their interpreter during their stay.

INTRODUCTION OF GUESTS

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

Today we have two groups from Leavenworth County here in the Capitol to learn what State Government and the Legislature is all about. They are sponsored by the Leavenworth/Lansing, Basehor and Tonganoxie Chambers of Commerce.

They formed as classes last fall and have been studying local history, the local economy, the legal and legislative systems, health and social service agencies, civic and community groups, education programs and technology ever since.

The Classes were originally started in 1985 and 1990 when local government, schools, and community based organizations had difficulty in filling positions on committees, boards of directors and other responsible organizations that rely on citizen input and participation to make decisions for the benefit of the community as a whole. It was determined that many citizens were reluctant to volunteer because of lack of familiarity with the issues and organizations and a feeling that they were not prepared or qualified to participate in deciding community issues.

Graduates have included mayors, city administrators, city council members, librarians, police officers, firefighters, local business owners and their employees, homemakers and students. The goal is to prepare interested community citizens for positions of leadership in civic, educational and governmental organizations. The programs also encourage inter-community networking and foster healthy business relationships.

My fellow Representatives, please help me welcome the 2014 Leavenworth/Lansing and Southern Leavenworth County Leadership Classes to the House. They are in the gallery above.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2756, AN ACT concerning a convention under article V of the constitution of the United States; prescribing appointment and qualifications of delegates; duties and responsibilities thereof; instruction for delegates by the legislature; creating a joint committee of correspondence, by Committee on Federal and State Affairs.

HB 2757, AN ACT concerning sales taxation; relating to exemptions; Wichita children's home; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2758, AN ACT establishing the Kansas housing loan guarantee program, by Committee on Appropriations.

HB 2759, AN ACT concerning autism; providing insurance coverage for autism spectrum disorder; amending K.S.A. 2013 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Appropriations.

HB 2760, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; requiring 180-day re-employment wait; amending K.S.A.

2013 Supp. 74-4914, 74-4937 and 74-49,204 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Taxation: **HB 2755**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2689** from Committee on Taxation and rereferral to Committee on Judiciary.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **6061**—

By Representative Ryckman Sr.

A RESOLUTION designating April 2014 as Parkinson's Disease Awareness Month.

WHEREAS, Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease; and

WHEREAS, It is estimated that the disease affects over one million people in the United States, including thousands of Kansans; and

WHEREAS, Although research suggests that the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown; and

WHEREAS, There is no objective test for Parkinson's disease and the rate of misdiagnosis can be high; and

WHEREAS, Symptoms of Parkinson's disease vary from person to person and include tremor, slowness, difficulty with balance, swallowing, chewing and speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems and sleep disruptions; and

WHEREAS, Medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects; and

WHEREAS, Ultimately the medications and treatments lose their effectiveness, generally after four to eight years, leaving the person unable to move, speak or swallow; and

WHEREAS, There is no cure, therapy or drug to slow or halt the progression of Parkinson's disease; and

WHEREAS, Increased education and research are needed to help find a more effective treatment or cure for Parkinson's disease; and

WHEREAS, The federal government, through the National Institutes of Health, the Department of Defense Neurotoxin Exposure Treatment Parkinson's Research Program, the Veterans Affairs Parkinson's Disease Research Program, Education and Clinical Centers and other agencies, supports vital work to better understand Parkinson's disease and to find new treatments; and

WHEREAS, In the fight against Parkinson's, Kansas can be proud. The University of Kansas Medical Center's Parkinson's Disease Center is designated as a National

Parkinson Foundation Center of Excellence. Support groups and organizations such as the National Parkinson Foundation Heartland; patients including Rob Peppers, J. Basil Dannebohm and Lisa Reser; and advocates including Senator Garrett Love, Representative Ronald Ryckman Sr., Representative Marshall Christmann III, Dr. Catherine Strecker, Ph.D., Dr. Rajesh Pahwa, Mark Mingenback and others work to promote Parkinson's disease awareness, education and patient support: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate April 2014 as Parkinson's Disease Awareness Month. We will continue to support research to find better treatment, and eventually, a cure for Parkinson's disease; and

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

CONSENT CALENDAR

No objection was made to **HB 2732** appearing on the Consent Calendar for the first day.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rhoades, the House nonconcurrred in Senate amendments to **S Sub for HB 2338** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rhoades, Kinzer and Henry as conferees on the part of the House.

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

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2542** be adopted; also, roll call was demanded on motion of Rep. Menghini to amend on page 1, following line 18, by inserting:

"Sec. 2. K.S.A. 2013 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) ~~No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years 2013, 2014, and 2015. The amount of the transfer on each such date shall be \$22,500,000 during fiscal year 2015;~~ and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year 2016 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand

transfers from the state general fund, ~~except that all such transfers during fiscal year 2016 shall be considered to be revenue transfers from the state general fund.~~

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 3. K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960, and amendments thereto, and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d), the county treasurer shall divide the amount paid by the state treasurer to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, which comply with the requirements of this act, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

(b) No political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960, and amendments thereto, and this section unless and until such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy that property tax revenues from the preceding year have been reduced by an amount equal to 80% of the amount received by the political subdivision from the local ad valorem tax reduction fund.

(c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), the county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of the amounts so credited. This section and K.S.A. 79-2960, and amendments thereto,

shall not apply to school districts.

(d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959, and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which received amounts under this section from the payment made from the local ad valorem tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959, and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local ad valorem tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

And by renumbering sections accordingly;

Also on page 1, in line 19, by striking "is" and inserting "and 79-2961 and K.S.A. 2013 Supp. 79-2959 are";

On page 1, in the title, in line 2, following the semicolon by inserting "local ad valorem tax reduction fund, distribution;"; also in line 2, following "79-220" by inserting "and 79-2961 and K.S.A. 2013 Supp. 79-2959"; in line 3, by striking "section" and inserting "sections";

On roll call, the vote was: Yeas 102; Nays 17; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Alford, Anthimides, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carlson, Carmichael, Carpenter, Cassidy, Christmann, Clayton, Concannon, Corbet, Crum, Curtis, P. Davis, Dierks, Doll, Dove, Edmonds, Ewy, Finch, Finney, Frownfelter, Goico, Gonzalez, Hawkins, Hedke, Henderson, Henry, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Jones, Kahrs, Kelly, Kiegerl, KleeB, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Meier, Meigs, Menghini, Merrick, Moxley, Osterman, Pauls, Petty, Phillips, Powell, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Sloop, Suellentrop, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, Claeys, E. Davis, DeGraaf, Esau, Gandhi, Garber, Grosserode, Johnson, Kelley, Kinzer, Mast, McPherson, O'Brien, Peck, Schwab, Sutton. Present but not voting: None.

Absent or not voting: Edwards, Estes, Houston, Perry, Rhoades, Sloan.

The motion of Rep. Menghini prevailed; and **HB 2542** be passed as amended.

Committee report to **SB 265** be adopted; also, on motion of Rep. Wilson be amended on page 12, following line 23, by inserting:

"New Sec. 4. Commencing in tax year 2014, and all tax years thereafter, and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to: (1) 25% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 23 of the federal internal revenue code determined without regard to subsection (c) of such section; (2) in addition to subsection (a)(1), 25% of the amount of such federal income tax credit, if

the child adopted by the taxpayer was a resident of Kansas prior to such lawful adoption; and (3) in addition to subsections (a)(1) and (a)(2), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code, and the child was a resident of Kansas prior to such lawful adoption, for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) Commencing in tax year 2014, and all tax years thereafter, there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to \$1,500 for the taxable year in which occurs the lawful adoption of a child in the custody of the secretary for children and families or a child with special needs, whether or not such individual is reimbursed for all or part of qualified adoption expenses or has received a public or private grant therefor. As used in this subsection, terms and phrases shall have the meanings ascribed thereto by the provisions of section 23 of the federal internal revenue code.

(c) The credit allowed by subsections (a) and (b) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credits has been deducted from tax liability.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "income;" by inserting "credits, adoption expenses;"

Also, roll call was demanded on motion of Rep. Sawyer to amend **SB 265 on page 2, in line 35, after "thereof," by inserting "whether"; also in line 35, by striking "and" and inserting "or rented, which is";**

On page 4, following line 37, by inserting:

"(j) "Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2014 or any taxable year thereafter by a claimant and claimant's household solely for the right of occupancy of a Kansas homestead on which ad valorem property taxes were levied in full for that year. When a household occupies two or more different homesteads in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the household while occupied by the household as its homestead during the year.

"(k) "Gross rent" means the rental paid at arm's length solely for the right of occupancy of a homestead or space rental paid to a landlord for the parking of a mobile home, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arm's length and that the gross rent charge was excessive, the director may adjust the gross rent to a reasonable amount for the purposes of the claim.";

On page 12, following line 23, by inserting:

"Sec. 4. K.S.A. 2013 Supp. 79-4501 is hereby amended to read as follows: 79-4501. The title of this act shall be the homestead property tax refund act. The purpose of

this act shall be to provide ad valorem tax refunds to: (a) Certain persons who are of qualifying age who own or rent their homestead; (b) certain persons who have a disability, who own or rent their homestead; and (c) certain persons other than persons included under the provisions of subsection (a) or (b) who have low incomes and dependent children and own or rent their homestead.

Sec. 5. K.S.A. 2013 Supp. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, ~~2005~~ 2013, the amount of any claim pursuant to this act shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued or rent constituting property tax accrued, or both.

(1)	(2)
Claimants household income	Deduction from property tax accrued <u>or rent constituting property tax accrued, or both</u>
At least	But not
\$0	more than
6,001	\$6,000
7,001	7,000
	16,000
	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
16,001	27,000
	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
27,001	27,600
	95%

(b) The director of taxation shall prepare a table under which claims under this act shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) ~~In the case of all tax years commencing after December 31, 2004,~~ The upper limit threshold amount prescribed in this section, shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

Sec. 6. K.S.A. 2013 Supp. 79-4509 is hereby amended to read as follows: 79-4509. In the event property taxes accrued or rent constituting property taxes accrued, or the sum of both, exceeds \$700 for a household in any one year, the amount thereof ~~shall~~, for purposes of this act, shall be deemed to have been \$700.

Sec. 7. K.S.A. 2013 Supp. 79-4511 is hereby amended to read as follows: 79-4511. (a) Every claimant under this act shall supply to the division, in support of a claim, reasonable proof of age or disability, and changes of homestead, household membership, household income, and size and nature of property claimed as the homestead. A claim alleging disability shall be supported by a report of the examining

physician of the claimant with a statement or certificate that the applicant has a disability within the meaning of subsection (g) of K.S.A. 79-4502, and amendments thereto.

(b) Every claimant who is a homestead owner, or whose claim is based wholly or partly upon homestead ownership at some time during the calendar year, shall supply to the division, in support of a claim, the amount of property taxes levied upon the property claimed as a homestead and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the division, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a homestead. The amount of personal property taxes levied on a manufactured home or mobile home shall be set out on the personal property tax statement showing the amount of such tax as a separate item.

(c) Every claimant who is a homestead renter, or whose claim is based wholly or partly upon homestead rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant. When such claimant reports household income that is 150% or less of the homestead rental amount and such claimant has failed to provide any documentation or information requested by the division to verify such household income in support of a claim as required pursuant to subsection (a), within 30 days of such request, such homestead property tax refund claim shall be denied.

(d) The information required to be furnished under subsection (b) or (c) shall be in addition to that required under subsection (a).

Sec. 8. K.S.A. 2013 Supp. 79-4522 is hereby amended to read as follows: 79-4522. A person owning or occupying a homestead that is not rental property and for which the appraised valuation for property tax purposes exceeds \$350,000 in any year shall not be entitled to claim a refund of property taxes under the homestead property tax refund act for any such year. The provisions of this section shall be part of and supplemental to the homestead property tax refund act.":

And by renumbering sections accordingly;

Also on page 12, in line 24, by striking "and" and inserting ", 79-4501,"; in line 25, after "79-4502" by inserting ", 79-4508, 79-4509, 79-4511 and 79-4522";

On page 1, in the title, in line 1, by striking "tax; relating to homestead refund," and inserting "taxation; relating to eligibility for SAFESR credit; homestead property tax refunds,"; in line 2, after "eligibility" by inserting ", renters"; in line 4, by striking the first "and" and inserting ", 79-4501,"; also in line 4, after "79-4502" by inserting ", 79-4508, 79-4509, 79-4511 and 79-4522";

On roll call, the vote was: Yeas 43; Nays 76; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Anthimides, Ballard, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, P. Davis, Esau, Finney, Frownfelter, Henderson, Henry, Hildabrand, Huebert, Kelly, Kuether, Lane, Lusk, Lusker, Meier, Menghini, Osterman, Pauls, Powell, Ruiz, Sawyer, Schroeder, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Barker, Becker, Boldra, Bradford, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, E. Davis, DeGraaf,

Dierks, Doll, Dove, Edmonds, Estes, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kiegerl, Kinzer, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Meigs, Merrick, Moxley, O'Brien, Peck, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Suellentrop, Sutton, Thimesch, Thompson, Todd, Vickrey, Waymaster.

Present but not voting: None.

Absent or not voting: Bruchman, Crum, Edwards, Houston, Perry, Sloan.

The motion of Rep. Sawyer did not prevail; and **SB 265** be passed as amended.

Committee report to **SB 266** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Agriculture and Natural Resources Budget Committee recommends **SB 278** be passed.

Committee on **Corrections and Juvenile Justice** recommends **SB 248** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **SB 19** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 19," as follows:

"House Substitute for SENATE BILL NO. 19

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated battery; criminal history; out-of-state misdemeanors; amending K.S.A. 2013 Supp. 21-5413 and 21-6811 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 19** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **SB 40** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 40," as follows:

"House Substitute for SENATE BILL NO. 40

By Committee on Corrections and Juvenile Justice

"AN ACT concerning the secretary of corrections; relating to the prison made goods act; correctional industries fund; amending K.S.A. 2013 Supp. 75-5275 and 75-5282 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 40** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **Substitute for HB 2473** be amended on page 2, by striking all in lines 37 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 38; following line 38 by inserting the following:

"New Sec. 5. (a) Possession of a firearm under the influence is knowingly possessing or carrying a loaded firearm on or about such person, or within such person's immediate access and control while in a vehicle, while under the influence of alcohol or drugs, or both, to such a degree as to render such person incapable of safely operating a firearm.

(b) Possession of a firearm under the influence is a class A nonperson misdemeanor.

(c) This section shall not apply to:

(1) A person who possesses or carries a firearm while in such person's own dwelling or place of business or on land owned or possessed by such person; or

(2) the transitory possession or use of a firearm during an act committed in self-defense or in defense of another person or any other act committed if legally justified or excused, provided such possession or use lasts no longer than is immediately necessary.

(d) If probable cause exists for a law enforcement officer to believe a person is in possession of a firearm under the influence of alcohol or drugs, or both, such law enforcement officer shall request such person submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The selection of the test or tests shall be made by the officer.

(e) (1) If a law enforcement officer requests a person to submit to a test of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by:

(A) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse;

(C) any qualified medical technician, including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, an emergency medical technician-intermediate/defibrillator, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or

(D) a phlebotomist.

(2) A law enforcement officer may direct a medical professional described in this subsection to draw a sample of blood from a person if the person has given consent or upon meeting the requirements of subsection (d).

(3) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized herein to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawing of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent.

(4) Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document provided by law enforcement.

(5) If a sample is to be taken under authority of a search warrant, and the person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement

restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or health care staff during the drawing of the sample and without interfering with medical treatment.

(6) A law enforcement officer may request a urine sample upon meeting the requirements of subsection (d).

(7) If a law enforcement officer requests a person to submit to a test of urine under this section, the collection of the urine sample shall be supervised by:

(A) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse; or

(C) a law enforcement officer of the same sex as the person being tested.

The collection of the urine sample shall be conducted out of the view of any person other than the persons supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer. The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence. If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in paragraphs (2) and (3) shall apply to the collection of a urine sample.

(8) The person performing or assisting in the performance of any such test and the law enforcement officer requesting any such test who is acting in accordance with this section shall not be liable in any civil and criminal proceeding involving the action.

(f) (1) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of possession of a firearm under the influence of alcohol or drugs, or both.

(2) Failure of a person to provide an adequate breath sample or samples as directed shall constitute a refusal unless the person shows that the failure was due to physical inability caused by a medical condition unrelated to any ingested alcohol or drugs.

(3) In any criminal prosecution for a violation of this section, if the court finds that a person refused to submit to testing when requested pursuant to this section, the county or district attorney, upon petition to the court, may recover on behalf of the state, in addition to the criminal penalties provided in this section, a civil penalty not exceeding \$1,000 for each violation.

(g) If a person who holds a valid license to carry a concealed handgun issued pursuant to K.S.A. 2013 Supp. 75-7c01 et seq., and amendments thereto, is convicted of a violation of this section, such person's license to carry a concealed handgun shall be revoked for a minimum of one year for a first offense and three years for a second or subsequent offense.

(h) In any criminal prosecution for possession of a firearm under the influence of alcohol or drugs, or both, evidence of the concentration of alcohol or drugs in the defendant's blood, urine, breath or other bodily substance may be admitted and shall give rise to the following:

(1) If the alcohol concentration is less than .08, that fact may be considered with other competent evidence to determine if the defendant was under the influence of

alcohol or drugs, or both.

(2) If the alcohol concentration is .08 or more, it shall be prima facie evidence that the defendant was under the influence of alcohol.

(3) If there was present in the defendant's bodily substance any narcotic, hypnotic, somnifacient, stimulating or other drug which has the capacity to render the defendant incapacitated, that fact may be considered to determine if the defendant was under the influence of alcohol or drugs, or both.

(i) The provisions of subsection (h) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of alcohol or drugs, or both.

(j) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person.";

And by renumbering sections accordingly;

On page 18, in line 11, after the semicolon by inserting "or"; in line 15, by striking "or"; by striking all in line 16; in line 17, by striking all before the period; in line 27, after the second comma by inserting "K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer,"; in line 34, after the comma by inserting "K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer,";

On page 22, in line 43, after the first "of" by inserting "or was adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of";

On page 23, in line 1, by striking "through (a)(3)" and inserting "and (a)(3)(A)"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2435** be passed.

Committee on **Judiciary** recommends **SB 255** be amended on page 3, following line 31, by inserting:

"Sec. 3. K.S.A. 2013 Supp. 21-5414 is hereby amended to read as follows: 21-5414. (a) Domestic battery is:

(1) Knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or

(2) knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry manner.

(b) Domestic battery is:

(1) Except as provided in subsection (b)(2) or (b)(3), a class B person misdemeanor and the offender shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200; nor more than \$500 ~~or in the court's discretion the court may enter an order which requires. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required~~ to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court;

(2) except as provided in subsection (b)(3), a class A person misdemeanor, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500 nor more than \$1,000. The five days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive

hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days imprisonment before the offender is granted probation, suspension or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court or department of corrections; and

(3) a person felony, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a third or subsequent time, and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,000 nor more than \$7,500. The offender convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the offender has served at least 90 days imprisonment. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court or department of corrections. If the offender does not undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, the offender shall serve not less than 180 days nor more than one year's imprisonment. The 90 days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program.

(c) In determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense under this section, a court shall consider any available information regarding a current or prior protective order issued against such person.

(d) As used in this section:

(1) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

(2) "protective order" means:

(A) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 or 60-3107, and amendments thereto;

(B) a protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265, and amendments thereto;

(C) an order issued in this or any other state as a condition of probation, suspended sentence, postrelease supervision or at any other time during the criminal case or upon appeal that orders the person to refrain from having any direct or indirect contact with a

family or household member; or

(D) a protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

~~(2)~~ (3) for the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

(A) "Conviction" includes being convicted of a violation of K.S.A. 21-3412a, prior to its repeal, this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

(B) "conviction" includes being convicted of a violation of a law of another state, or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

(C) only convictions occurring in the immediately preceding five years including prior to July 1, 2001, shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offender, whichever is applicable; and

(D) it is irrelevant whether an offense occurred before or after conviction for a previous offense.

~~(4)~~ (e) A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.";

On page 27, in line 7, after "21-5401" by inserting ", 21-5414";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "21-5401" by inserting ", 21-5414"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2419, HB 2534** be passed.

Committee on **Local Government** recommends **HB 2541** be amended by adoption of the amendments as reported in the Journal of the House of Representatives on February 26, 2014, as **Substitute for House Bill No. 2541** and the substitute bill be passed.

Committee on **Taxation** recommends **HB 2642** be amended on page 8, in line 22, after "acquisition." by inserting "The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of paragraph (xix) of subsection (b) attributable to the business in which the livestock sold had been used."; following line 32, by inserting:

"New Sec. 2. (a) Any resident individual taxpayer who makes expenditures for the purpose of making all or any portion of an existing facility accessible to individuals with a disability, which facility is used as, or in connection with, such taxpayer's principal dwelling or the principal dwelling of a lineal ascendant or descendant, including construction of a small barrier-free living unit attached to such principal dwelling, shall be entitled to claim a tax credit in an amount equal to the applicable percentage of such expenditures or \$9,000, whichever is less, against the income tax liability imposed against such taxpayer pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. Nothing in this subsection shall be deemed to prevent any such taxpayer from claiming such credit: (1) For each principal

dwelling in which the taxpayer or lineal ascendant or descendant may reside, or facility used in connection therewith; or (2) more than once, but not more often than once every four-year period of time. The applicable percentage of such expenditures eligible for credit shall be as set forth in the following schedule:

Taxpayers Kansas Adjusted Gross Income	% of expenditures eligible for credit
\$0 to \$25,000.....	100%
Over \$25,000 but not over \$30,000.....	90%
Over \$30,000 but not over \$35,000.....	80%
Over \$35,000 but not over \$40,000.....	70%
Over \$40,000 but not over \$45,000.....	60%
Over \$45,000 but not over \$55,000.....	50%
Over \$55,000.....	0

Such tax credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the expenditures are made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth taxable year succeeding the taxable year in which the expenditures are made.

(b) Notwithstanding the provisions of subsection (a), if the amount of the taxpayer's tax liability is less than \$2,250 in the first year in which the credit is claimed under this section, an amount equal to the amount by which $\frac{1}{4}$ of the credit allowable under this section exceeds such tax liability shall be refunded to the taxpayer and the amount by which such credit exceeds such tax liability less the amount of such refund may be carried over for the next three succeeding taxable years. If the amount of the taxpayer's tax liability is less than \$2,250 in the second year in which the credit is claimed under this section, an amount equal to the amount by which $\frac{1}{3}$ of the amount of the credit carried over from the first taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the first taxable year exceeds such tax liability less the amount of such refund may be carried over for the next two succeeding taxable years. If the amount of the taxpayer's tax liability is less than \$2,250 in the third year in which the credit is claimed under this section, an amount equal to the amount by which $\frac{1}{2}$ of the amount carried over from the second taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the second taxable year exceeds such tax liability less the amount of such refund may be carried over to the next succeeding taxable year. If the amount of the credit carried over from the third taxable year exceeds the taxpayer's income tax liability for such year, the amount thereof which exceeds such tax liability shall be refunded to the taxpayer.

(c) The provisions of this section are applicable to tax year 2013, and all tax years thereafter.

Sec. 3. K.S.A. 2013 Supp. 79-32,177 is hereby amended to read as follows: 79-

32,177. ~~(a)~~ Any taxpayer who makes expenditures for the purpose of making all or any portion of an existing facility accessible to individuals with a disability, or who makes expenditures for the purpose of making all or any portion of a facility or of equipment usable for the employment of individuals with a disability, which facility or equipment is on real property located in this state and used in a trade or business or held for the production of income, shall be entitled to claim an income tax credit in an amount equal to 50% of such expenditures or, the amount of \$10,000, whichever is less, against the income tax liability imposed against such taxpayer pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, ~~and amendments thereto~~. Such tax credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the expenditures are made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth taxable year succeeding the taxable year in which the expenditures are made.

~~(b) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.";~~

And by renumbering sections accordingly;

Also on page 8, in line 33, by striking "is" and inserting "and 79-32,177 are";

On page 1, in the title, in line 1, by striking the second semicolon and inserting a comma; in line 2, after the semicolon by inserting "credits, expenditures to make dwelling or facility accessible for persons with a disability"; in line 3, after "79-32,117" by inserting "and 79-32,177"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2643** be amended on page 1, in line 5, before "Section" by inserting "New"; also on page 1, following line 31, by inserting:

"New Sec. 2. For all tax years commencing after December 31, 2013, property that has been constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, and exempted from all property or ad valorem taxes pursuant to K.S.A. 79-201a, *Second*, and amendments thereto, which is returned to the taxable rolls of the county upon the expiration of such exemption, shall retain its classifications as real or personal as approved by the court of tax appeals at the time the exemption was granted. No such property shall be considered reclassified or reclassified after the expiration of such tax exemption period absent the approval of the court of tax appeals upon a hearing in a decision upheld upon appeal, if any, and:

- (a) A material physical change to such property;
- (b) a material change in the use of such property; or
- (c) a substantial change in directly applicable law.

In any action taken by a county appraiser or taxpayer before the court of tax appeals to change the classification of such property, the party seeking a change in classification shall bear the burden of proof with regard to the issue of classification. The taxpayer

shall be a party in any such action brought by a county appraiser.

New Sec. 3. The court of tax appeals shall have the power and duty to hear a petition to change the classification of property as required by section 2, and amendments thereto, and may issue rules and regulations to implement the provisions of sections 2 and 3, and amendments thereto.

New Sec. 4. (a) On or before October 15 of the year preceding the tax year for which the property is to be classified and appraised, the county appraiser or the taxpayer may request that the director of property valuation contract with an independent appraiser to classify and appraise natural gas and helium processing facilities, ethanol facilities, crude oil refineries, fertilizer manufacturing facilities, cement manufacturing facilities, and such other complex industrial properties as otherwise requested by the county appraiser or the taxpayer. Before making such request, the county appraiser and the taxpayer shall be required to meet to discuss the property at issue, including the suitability of the property to be classified and appraised by an independent appraiser, as provided in this section. After such meeting and upon request by the county or the taxpayer, the director shall contract with an independent appraiser from the list of appraisers as provided in subsection (b) to conduct such determination of the property. Prior to entering into any contract with an independent appraiser to classify and appraise the property at issue, the director shall meet with the county appraiser to discuss the costs of an independent appraisal. The county shall be responsible for all reasonable and prior approved costs of the independent classification and appraisal.

(b) The director shall maintain a list of qualified appraisers who are certified real property appraisers and who have at least three years of experience in the classification and appraisal of the types of property described in this section.

(c) The final determination made by the independent appraiser pursuant to this section shall be admissible before the courts of this state and the Kansas court of tax appeals in any subsequent classification and valuation proceedings.

New Sec. 5. The director of property valuation may require the county appraiser and the taxpayer to submit such documentation to the independent appraiser described in section 4, and amendments thereto, as necessary in order to classify and appraise the property. The taxpayer shall permit one or more physical inspections of the property, scheduled at mutually agreeable times so as not to delay the timely completion of the classification and appraisal of the property.

New Sec. 6. (a) The director of property valuation shall notify the taxpayer and the county appraiser on or before March 1 for real property and May 1 for personal property, of the classification and appraised valuation of the property described in section 4, and amendments thereto. Such notification shall be mailed to the county appraiser and to the taxpayer at the taxpayer's last known address.

(b) Within 15 days of receipt of the notification required by subsection (a) of this section, if the taxpayer or the county appraiser has any objection to the notification as issued, the taxpayer or the county appraiser shall notify the director of property valuation in writing of such objection. Within 30 days of the receipt by the director of such objection, the director shall hold an informal meeting with the taxpayer of the county and shall issue a final determination, which shall become effective for purposes of appeal as provided in K.S.A. 79-1609, and amendments thereto. Informal meetings held pursuant to this section may be conducted by the director or the director's designee. An information meeting with the director or the director's designee shall be a condition

precedent to an appeal to the court of tax appeals.

New Sec. 7. Prior to January 1, 2015, the secretary of revenue shall adopt rules and regulations necessary to administer the provisions of sections 4 through 6, and amendments thereto.

Sec. 8. K.S.A. 2013 Supp. 79-1609 is hereby amended to read as follows: 79-1609. Any person aggrieved by any order of the hearing officer or panel, or by the classification and appraisal of an independent appraiser, as provided in section 6, and amendments thereto, may appeal to the state court of tax appeals by filing a written notice of appeal, on forms approved by the state court of tax appeals and provided by the county clerk for such purpose, stating the grounds thereof and a description of any comparable property or properties and the appraisal thereof upon which they rely as evidence of inequality of the appraisal of their property, if that be a ground of the appeal, with the state court of tax appeals and by filing a copy thereof with the county clerk within 30 days after the date of the order from which the appeal is taken. A county or district appraiser may appeal to the state court of tax appeals from any order of the hearing officer or panel. With regard to any matter properly submitted to the court relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination. With regard to leased commercial and industrial property, the presumption of validity and correctness of such determination shall exist in favor of the county or district appraiser unless, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, the taxpayer furnished to the county or district appraiser complete income and expense statements for the property for the three years next preceding the year of appeal.

Sec. 9. K.S.A. 2013 Supp. 79-1609 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "equipment" by inserting "; independent appraisers; reclassification of certain tax exempt property; amending K.S.A. 2013 Supp. 79-1609 and repealing the existing section"; and the bill be passed as amended.

Committee on **Utilities and Telecommunications** recommends **SB 284** be passed.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2761, AN ACT concerning the Kansas act against discrimination; relating to sexual orientation and gender identity; amending K.S.A. 44-1001, 44-1004, 44-1009, 44-1015, 44-1016, 44-1017, 44-1027 and 44-1030 and K.S.A. 2013 Supp. 44-1002, 44-1005 and 44-1006 and repealing the existing sections, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Kuether to replace Rep. Winn and Rep. Curtis to replace Rep. Houston on Committee on Education for March 12,

2014.

On motion of Rep. Vickrey, the House recessed until 1:00 p.m.

AFTERNOON SESSION

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

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2479** be amended on page 2, in line 21, after "(b) (1)" by inserting "On and after July 1, 2011, through June 30, 2020:"; in line 22, before "Except" by inserting "(A)"; also in line 22, by striking "(b)(2)" and inserting "(b)(1)(B)"; in line 27, by striking "(2)" and inserting "(B)"; in line 32, by striking "(A)" and inserting "(1)"; in line 33, by striking "(B)" and inserting "(2)"; in line 34, by striking "(C)" and inserting "(3)"; in line 35, by striking "(D)" and inserting "(4)"; in line 37, by striking "(E)" and inserting "(5)";

On page 3, following line 6, by inserting:

"(2) On and after July 1, 2020:

(A) Except as provided in subsection (b)(2)(B), when a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges to driving only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(B) In lieu of the restrictions set out in subsection (b)(2)(A), the division, upon request of the person whose driving privileges are to be restricted, may restrict the person's driving privileges to driving only a motor vehicle equipped with an ignition interlock device."; and the bill be passed as amended.

REPORT ON ENROLLED RESOLUTIONS

HR 6049, HR 6055 reported correctly enrolled and properly signed on March 12, 2014.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, March 13, 2014.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

