

Journal of the House

FORTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 26, 2013, 9:00 a.m.

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

The roll was called with 120 members present.

Rep. Osterman was excused on verified illness.

Reps. Henderson, Henry, Peterson and Sawyer were excused on excused absence by the Speaker.

Rep. Carlson was excused later in the morning on excused absence by the Speaker.

Present later: Reps. Carlson, Henderson and Sawyer.

Prayer by Chaplain Brubaker:

Lord God,

Today holds a full agenda for our leaders to consider, debate and vote on bills that cover the gamut of issues. They will make decisions regarding education, health, financial institutions, transportation, the judicial process, insurance, and more.

The common element of most of these bills is money. Please grant them wisdom as they determine how they can be benevolent yet frugal; generous yet not spendthrift; save money yet spend it; provide for the genuine needs versus the demands of wants. Your Word cautions us, "*which of you, intending to build a tower, does not sit down first and count the cost; whether he has enough to finish it.*" Only You can see the whole picture which includes the future, so I ask that You grant them Your wisdom in making these decisions.

In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Alcalá.

INTRODUCTION OF GUESTS

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

It is my privilege to introduce to the body today the State Champion Holton football and wrestling teams.

Holton Football: The Holton High School Football team is being recognized today as 2012-2013 Class 4-H State Champions with a 14-0 undefeated season. They had a total of 8 touchdowns scored against them this season---4 of them by McPherson, a powerhouse in 4-A football, during the playoff series. Members and Coach being recognized today include:

Cameron Karn - Honorable Mention all state and 1st team all Big 7 League

Brandon Schumann, 3rd team all state and 1st team all class 4-A. Brandon will be playing football at Ft. Scott next fall.

Chase Wilson - 1st team all Big 7 League and was selected by his peers as a team Captain.

Trent Tanking - 1st team all state and 1st team all class 4-A. Trent will attend K-State as a walk-on in the Football program next fall. Trent is a Putnam Scholar and received a perfect score on the ACT Math test.

Coach Brooks Barta - Coach Barta was honored by becoming a member of the Kansas Shrine Hall of Fame.

Holton Wrestling: The Holton High School Wrestling team is being honored today for becoming 4-A State Wrestling Champions for the 2012-2013 season. The team is being represented today by:

Hunter Price who captured the 4-A State Championship in the 120 lb weight class. Hunter has the most career wins for a Holton High School Wrestler with 126 wins.

Garrett Lambrecht who was a Senior Wrestler but was not able to participate this year because of a knee injury. He was a leader in practice each day.

And **Coach Cullen Jackson**, who has been Selected as Class 4A Coach of the Year.

Rep. Carlson presented the members of each team with a framed House certificate.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 20**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 56**, requests a conference and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **Sub SB 57**, requests a conference and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 81**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 102**, requests a conference and has appointed Senators Ostmeyer, Emler and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 120**, requests a conference and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2009** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2015** and has

appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2017** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2049** and has appointed Senators Love, Kerschen and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2093** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2120** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2143** and has appointed Senators Masterson, Denning and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2204** and has appointed Senators King, Smith and Haley as conferees on the part of the Senate.

CONSENT CALENDAR

No objection was made to **Sub SB 70** appearing on the Consent Calendar for the second day.

No objection was made to **SB 24, SB 25, SB 166** appearing on the Consent Calendar for the third day. The bill were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 24, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurance companies; amending K.S.A. 2012 Supp. 40-2c01 and 40-2c05 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 25, AN ACT concerning insurance; relating to risk-based capital requirements for health organizations; amending K.S.A. 40-2d05 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 166, AN ACT concerning insurance; pertaining to the insurers supervision, rehabilitation and liquidation act; amending K.S.A. 40-3607 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

Sub HB 2002, AN ACT concerning the division of post audit; relating to certain financial and security audits; amending K.S.A. 2012 Supp. 46-1106, 46-1118 and 74-4921 and repealing the existing sections; also repealing K.S.A. 74-8707, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The substitute bill passed.

HB 2057, AN ACT concerning property taxation; relating to county appraisers; appointing interim appraiser; amending K.S.A. 2012 Supp. 19-430 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2101, AN ACT concerning utilities; relating to electric transmission, interstate siting compact, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Schwab.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

Sub HB 2262, AN ACT concerning the oil and gas valuation depletion trust fund; relating to amount credited to such fund; amending K.S.A. 2012 Supp. 79-4227 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 23; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Wolfe Moore.

Nays: Alcala, Bridges, Burroughs, Carlin, Christmann, Dillmore, Frownfelter, Grant, Hibbard, Meier, Menghini, Perry, Ruiz, Schroeder, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The substitute bill passed.

EXPLANATION OF VOTE

MR SPEAKER: For the counties affected by the Oil and Gas Depletion Trust Fund, oil

and gas is a major component of their industrial base, just as aircraft manufacturing is the industrial base of Sedgwick County, the service industry is the industrial base of Johnson County, and state government is the industrial base of Shawnee County. However the oil and gas counties live with the unfortunate reality that their industrial base will one day disappear. **Sub HB 2262** provides them some relief for that day when the wells go dry. I vote yes on **Sub HB 2262**. — DON HINEMAN, TRAVIS COUTURE-LOVELADY, JOE SEIWERT, RONALD W. RYCKMAN, SR., RUSS JENNINGS, KEVIN JONES, TROY L. WAYMASTER, STEPHEN ALFORD

HB 2338, AN ACT concerning docket fees; amending K.S.A. 5-517 and K.S.A. 2012 Supp. 20-362, 28-172a, 74-7325, 74-7334 and 75-7021 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 20-367, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 52; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Alcalá, Ballard, Barker, Becker, Bideau, Bollier, Bridges, Bruchman, Burroughs, Campbell, Carlin, Christmann, Clayton, Concannon, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gonzalez, Grant, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Rooker, Ruiz, Sloan, Sloop, Swanson, Tietze, Todd, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

HB 2377, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 2012 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Perry, Petty, Phillips, Powell,

Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2387, AN ACT concerning crimes, punishment and criminal procedure; relating to felony murder; capital murder; amending K.S.A. 2012 Supp. 21-5402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 2; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Meier, Sutton.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HB 2389, AN ACT concerning crimes, punishment and criminal procedure; relating to capital murder; notice of intent to seek the death penalty; amending K.S.A. 2012 Supp. 21-6617 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop,

Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Gandhi.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

HCR 5014, urging the Department of State and the White House to approve the Presidential Permit application allowing the construction and operation of the TransCanada Keystone XL Pipeline between the United States and Canada in order to strengthen United States energy security, to provide for critical pipeline infrastructure, to achieve North American energy independence and to stimulate the American economy and create jobs, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 11; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Finney, Kuether, Lusk, Menghini, Sloop, Tietze, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The resolution was adopted.

SB 1, AN ACT concerning the legislative post audit act; relating to periodic audits of the state treasurer and the pooled money investment board; transition audits; amending K.S.A. 2012 Supp. 46-1106 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips,

Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 16, AN ACT concerning racketeering; enacting the Kansas racketeer influenced and corrupt organization act; relating to criminal street gangs; forfeiture; amending K.S.A. 2012 Supp. 21-5302, 21-6313 and 60-4104 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 45; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Becker, Bideau, Bollier, Bradford, Bruchman, Burroughs, Campbell, Carpenter, Cassidy, Claeys, Clayton, Concannon, Crum, Dierks, Dillmore, Doll, Edmonds, Edwards, Ewy, Finch, Frownfelter, Gandhi, Goico, Gonzalez, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Howell, Hutton, Jennings, Johnson, Kelly, Kleeb, Kuetner, Macheers, Meier, Meigs, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Ward, Waymaster, Whipple, Wolfe Moore.

Nays: Alcalá, Ballard, Barker, Boldra, Bridges, Brunk, Couture-Lovelady, Carlin, Christmann, Corbet, Davis, DeGraaf, Dove, Esau, Finney, Garber, Grant, Grosserode, Hawkins, Hedke, Hildabrand, Houser, Houston, Huebert, Jones, Kahrs, Kelley, Kinzer, Lane, Lunn, Lusk, Mast, McPherson, Menghini, Merrick, Petty, Powell, Ruiz, Sloop, Todd, Victors, Weber, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **SB 16**. With the current climate of excessive racial profiling in the state of Kansas and the bill's broad description of potential offenders and prosecutor's latitude, this bill will result in many unintended consequences that will exacerbate the problem of racial profiling and it will have a disparate impact on people of color, depriving innocent citizens of due process and equal protection of the law. — GAIL FINNEY, VALDENIA C. WINN, PATRICIA M. SLOOP, RODERICK HOUSTON, PONKA-WI VICTORS, BARBARA BALLARD

MR. SPEAKER: Accepting that different people are guilty of different crimes for perpetrating the same bad acts is antithetical to the philosophical underpinnings of our nation and state. **SB 16** places the protection of essential liberties in the hands of prosecutorial discretion. Surrendering a well-apportioned rule of law in favor of the wisdom of the state is the beginning of the end of a free society; as such, we vote no on

SB 16. — CRAIG MCPHERSON, BRETT HILDABRAND, KEITH ESAU, AMANDA GROSSERODE, RANDY GARBER, JAMES TODD, NANCY LUSK, KEVIN JONES

MR SPEAKER: I am very supportive of the provisions of **SB 16**. However, I cannot support the bill in its present form because this Legislature has not approved the additional funding for the 915 new prison beds that this bill requires. If necessary appropriations are provided, I will be pleased to support the bill. I vote no on **SB 16**. - PAUL DAVIS

SB 37, AN ACT concerning the Kansas home inspectors professional competence and financial responsibility act; amending K.S.A. 2012 Supp. 58-4501 and repealing the existing section, was considered on final action.

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

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hill, Hineman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Meier, Meigs, Menghini, Merrick, Moxley, Pauls, Peck, Perry, Phillips, Proehl, Read, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Couture-Lovelady, Esau, Garber, Grosserode, Hildabrand, Hoffman, Kelley, Kinzer, Mast, McPherson, Montgomery, O'Brien, Petty, Powell, Rhoades, Schwab, Siegfried.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 58, AN ACT concerning crimes, criminal procedure and punishment; relating to manufacture of methamphetamine; amending K.S.A. 2012 Supp. 21-5703 and 21-6805 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop,

Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 68, AN ACT concerning motor vehicles; relating to driver's licenses; examinations, locations; amending K.S.A. 2012 Supp. 8-235d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Carlin, Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 74, AN ACT concerning the prison-made goods act; relating to the manufacture or production of manufactured homes or modular homes, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 32; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Campbell, Carpenter, Cassidy, Christmann, Claeys, Corbet, Crum, Davis, DeGraaf, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Howell, Huebert, Jennings, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, O'Brien, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Tietze, Trimmer, Vickrey, Ward, Waymaster, Weber, Weigel, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Burroughs, Couture-Lovelady, Carlin, Clayton, Concannon, Dierks, Ewy, Finch, Finney, Frownfelter, Gandhi, Hill, Houston, Hutton, Johnson, Lusk, Meier, Montgomery, Moxley, Pauls, Rooker, Ruiz, Sloop, Thimesch,

Todd, Victors, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **SB 74**. This is a “manufactured” issue from the Manufactured Housing group. For the last two years, I’ve been working on a national committee on manufactured housing issues. Kansas prisons have never been in competition with that industry and corrections has no interest in being in competition. If you vote ‘yes’ you are preventing the good that now occurs by the very few houses that are built for the needy. – JAN PAULS

SB 75, AN ACT concerning plastic bulk merchandise containers; relating to sales; records; civil penalties, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 18; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Boldra, Bollier, Bradford, Bridges, Bruchman, Burroughs, Couture-Lovelady, Campbell, Carlin, Cassidy, Christmann, Clayton, Concannon, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Bideau, Brunk, Carpenter, Claeys, Corbet, Esau, Grosserode, Hildabrand, Hutton, Kelley, Kinzer, Macheers, McPherson, Meigs, Petty, Powell, Rubin, Todd.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 88, AN ACT concerning crimes, punishment and criminal procedure; relating to certain defendants; children's advocacy center assessment fee; amending K.S.A. 20-370 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini,

Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 96, AN ACT concerning motor vehicles; relating to registration fees, multiple registration facilities; amending K.S.A. 2012 Supp. 8-145d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 12; Present but not voting: 0; Absent or not voting: 7.

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

Nays: Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Houston, Kuether, Ward, Whipple, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Carlson, Dierks, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 118, AN ACT concerning crimes, criminal procedure and punishment; relating to reporting and investigation of missing persons; amending K.S.A. 2012 Supp. 75-712b and 75-712c and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips,

Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 122, AN ACT concerning the Kansas administrative procedure act; service of order or notice; amending K.S.A. 2012 Supp. 77-531 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 124, AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101, 50-112, 50-158 and 50-161 and repealing the existing sections; also repealing K.S.A. 50-108 and 50-115, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 1; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton,

Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Dillmore, Kuether.

Present but not voting: Hill.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed, as amended.

SB 135, AN ACT concerning the boiler safety act; transferring duties from the secretary of labor to the state fire marshal; amending K.S.A. 44-916, 44-917, 44-918, 44-919, 44-920, 44-921, 44-922, 44-923, 44-924, 44-925, 44-927 and 44-929 and K.S.A. 2012 Supp. 44-636, 44-914, 44-915, 44-926 and 44-928 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 5; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Frownfelter, Kuether, Lane, Seiwert, Ward.

Present but not voting: None.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

SB 139, AN ACT concerning money transmitters; amending K.S.A. 2012 Supp. 9-508, 9-509, 9-510, 9-511, 9-513, 9-513c and 9-513d and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 1; Absent or not voting: 6.

Yeas: Alcala, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton,

Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Kinzer.

Present but not voting: Hawkins.

Absent or not voting: Carlson, Henderson, Henry, Osterman, Peterson, Sawyer.

The bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that **SB 113** be passed.

Committee report to **SB 199** be adopted; also, on motion of Rep. Crum be amended on page 4, in line 6, after "Kansas" by inserting "appointed by the chief executive officer of via christi health and such original member shall serve three years";

Also, roll call was demanded on motion of Rep. Bollier to amend **SB 199** on page 1, in line 10, by striking all following "(2)"; by striking all in lines 11 and 12;

In line 13, by striking "(3) facilitate" and inserting "collaborate with Kansas City, Wichita, Omaha and other midwest region university, hospital and cell manufacturing facilities to arrange";

And by redesignating paragraphs accordingly;

Also on page 1, in line 15, by striking "partner and"; in line 21, after "cells" by inserting "where appropriate"; following line 29, by inserting:

"(b) Where appropriate, the center may serve as a core facility to produce clinical grade stem cells from adult tissues, cord blood and related materials for use in clinical trials and therapies.

(c) (1) The rules of governance and administration then otherwise applicable to the performance of education, fundraising, clinical practice, education, human resources, clinical trials, and fee-for-service arrangements at the university of Kansas medical center shall apply to the activities of the center, including, but not limited to, university policies of risk management and compliance in these areas: Human subjects and conflict of interest.

(2) In addition, as a condition of producing clinical grade stem cells by the center for use in humans or the conducting of clinical trials at the university of Kansas medical center involving clinical grade stem cells produced by the center, the center shall demonstrate to the satisfaction of the administration of the university of Kansas medical center and where appropriate the administration of the university of Kansas hospital authority that the center has:

(A) Obtained and maintained a satisfactory record of federal manufacturing facility inspection and licensure, where appropriate;

(B) obtained and maintained a satisfactory record of accreditation status from a nationally recognized accreditation organization utilizing internationally recognized standards of accreditation (such as the foundation for accreditation of cellular therapy) for center facilities producing clinical grade stem cells; and

(C) satisfied all other rules of governance and administration otherwise applicable to the type of activities to be conducted by the center at the university of Kansas

medical center or the university of Kansas hospital authority.

(3) The center's commission to advance adult, cord blood and related stem cell and non-embryonic stem cell therapies for patient treatment and to do so in compliance with section 5, and amendments thereto, does not require the center to:

(A) Establish or operate a cell manufacturing facility at the university of Kansas medical center or the university of Kansas hospital authority; and

(B) supplant or exclude the participation of other appropriate cell manufacturing facilities engaged by the center that agree by appropriate lease and operating arrangements to comply with section 5, and amendments thereto.

(4) The center's commission to advance adult, cord blood and related stem cell and non-embryonic stem cell therapies for patient treatment and to do so in compliance with section 5, and amendments thereto, does not require the university of Kansas medical center or the university of Kansas hospital authority to participate in the operation of a cell manufacturing facility for the center.";

On page 2, in line 23, after "Fees" by inserting "may be"; in line 24, by striking ", clinical trial fees"; also in line 24, by striking "shall be paid"; by striking all in line 25; in line 26, by striking all before the period and inserting ". Fees, funds and grants may be received for conducting sponsored research and clinical trials. All such fees, funds and grants shall be paid, where appropriate, to the university of Kansas medical center, the university of Kansas research institute, inc. or the university of Kansas endowment. The director, subject to the rules of governance and administration then otherwise applicable to the university of Kansas medical center and such other payees, may determine the appropriate payee";

Also on page 2, in line 36, after "fees" by inserting ", funds and grants";

On roll call, the vote was: Yeas 40; Nays 74; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Gandhi, Hibbard, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Menghini, Moxley, Perry, Phillips, Proehl, Rooker, Ruiz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn.

Nays: Alcalá, Barker, Becker, Bideau, Boldra, Bradford, Brunk, Couture-Lovelady, Campbell, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, O'Brien, Pauls, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Waymaster, Weber, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard, Bruchman, Carlson, Henderson, Henry, Johnson, Osterman, Peck, Peterson, Sawyer, Schwab.

The motion of Rep. Bollier did not prevail; and **SB 199** be passed as amended.

Committee report to **HB 2403** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 203** be amended on page 4, by striking all in lines 42 and 43;

On page 5, by striking all in lines 1 through 32 and inserting the following:

"Sec. 3. K.S.A. 2012 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 is not~~ 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 of the 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. 2012 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. 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, microdistillery 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. 2012 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;

Also on page 5, in line 33, after "41-104" by inserting ", 41-311";

On page 1, in the title, in line 2, after the semicolon by inserting "relating to licensure under the Kansas liquor control act;"; also in line 2, after "41-104" by inserting ", 41-311"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 226** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 226," as follows:

"House Substitute for SENATE BILL NO. 226

By Committee on Federal and State Affairs

"AN ACT concerning fireworks; amending K.S.A. 2012 Supp. 31-505 and repealing the existing section; also repealing K.S.A. 31-155 and 31-156."; and the substitute bill be passed.

(**H Sub for SB 226** was thereupon introduced and read by title.)

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 20**.

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

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 56**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **Sub SB 57**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 81**.

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

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 102**.

Speaker Merrick thereupon appointed Reps. DeGraaf, Howell and Lane as conferees on the part of the House.

On motion of Rep. Vickrey, the House acceded to the request of the Senate for a conference on **SB 120**.

Speaker Merrick thereupon appointed Reps. Schwartz, Hoffman and Victors as conferees on the part of the House.

On motion of Rep. Vickrey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Garber, **HR 6019**, A RESOLUTION declaring July 27, 2013, as "Joe Tinker Day.", was adopted.

There being no objection, the following remarks of Reps. Garber and Ewy are spread upon the Journal:

Remarks of Rep. Garber:

With the long hours we've already had and the many that are before us, now is a good time to relax a little and enjoy a bit of our past. Many of us have fond memories of baseball and the role it played in our lives and in the history of our country. I would like to share a few thoughts with the body today concerning America's greatest pastime.

James Earl Jones played the character Terence Mann in the 1989 movie "Field of Dreams" starring Kevin Costner who played Ray Kinsella, a farmer who built a magical baseball field on his farm. The result was several players of baseballs early era came out of the adjacent cornfield to play. These players included "Shoeless Joe" Jackson and "Moonlight" Graham. These are a few of James Earl Jones lines towards the end of the movie.

"Ray, People will come, Ray. They'll come to Iowa for reasons they can't even

fathom. They'll turn up your driveway not knowing for sure why they're doing it. They'll arrive at your door as innocent as children....longing for the past. "Of course, we won't mind if you look around" you'll say. "It's only twenty dollars per person." They'll pass over the money without even thinking about it. For it is money they have and peace they lack. Then they'll walk off to the bleachers and sit in their shirtsleeves on a perfect afternoon. They'll find they have reserved seats somewhere along one of the baselines....where they sat when they were children and cheered their heroes.... and they'll watch the game....and it will be as if they dipped themselves in magic waters. The memories will be so thick they'll have to brush them away from their faces. People will come, Ray. The one constant through all the years, Ray, has been baseball. America has rolled by like an army of steamrollers. It's been erased like a blackboard, rebuilt and erased again. But baseball marked the time. This field, this game, it's part of our past, Ray. It reminds us of all that once was good and it could be again. Ohhh. People will come, Ray. People will most definitely come."

Thank you to Representative Ewy for providing a vintage baseball. Representative Ewy has a few words to share.

Remarks of Rep. Ewy:

We are thankful to the Civil War Veterans who brought the game of "baseball" to Kansas following the war. The Hodgeman County Nine Vintage Baseball Team of Hodgeman County Kansas was formed to promote the game as it was played in the 1860s and hopes to be able to take part in the celebration.

Additional remarks of Rep. Garber:

The following is a poem written by Franklin P Adams concerning this infamous double-play trio. It is titled "Baseball's Sad Lexicon."

These are the saddest of possible words: Tinker to Evers to Chance.

Trio of Bear-cubs, fleeter than birds. Tinker to Evers to Chance.

Ruthlessly pricking our gonfalon bubble, making a Giant hit into a double.

Words that are weighty with nothing but trouble: Tinker to Evers to Chance.

We welcome Jeff and C.J. Hanson from Muscotah and Marci Penner from the Kansas Sampler Foundation. Jeff is spearheading the efforts to build a museum to preserve the memory of Joe Tinker. The museum will include the world's largest baseball made from the town's old water tower. There are plans to have a mini-infield behind the baseball with iron cutouts of the famous double-play combination.

We would like to welcome each of you to Muscotah on July 27th to help us celebrate Joe Tinker day. A vintage baseball game between the Hodgeman County 9 and the Wichita Redstockings is planned for that day. I encourage the people of this great state to remember this citizen of Kansas and contemplate the success available to anyone who sets visionary goals for their future. Please welcome our guests.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report, as follows, was adopted: Recommended that **SB 52**, **SB 21** be passed.

SCR 1606 be adopted.

Committee report to **SB 149** be adopted; also, on motion of Rep. Ryckman Jr. be amended on page 14, in line 27, by striking "criminal prosecutions";

On page 15, in line 31, after "has" by inserting "been";

Also, Rep. Ruiz requested the bill be divided. The Rules Chair ruled dividing a bill is not possible under the House Rules, and the bill be passed as amended.

Roll call was demanded on motion of Rep. Clayton to amend **SB 142** on page 1, in line 7, by striking all after "birth"; by striking all in lines 8 through 10; in line 11, by striking all before the period; in line 32, following "person's" by inserting "negligent"; in line 33, following the period by inserting "'Claim of wrongful birth" shall not include a cause of action brought by a parent, legal guardian or other individual legally required to provide for the support of a minor, which seeks damages, whether economic or noneconomic, as a result of a physical condition of such minor that existed at the time of such minor's birth, and which is based on a claim that a person's intentional action or omission contributed to such minor's mother not obtaining an abortion.";

On roll call, the vote was: Yeas 41; Nays 79; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Menghini, Perry, Phillips, Proehl, Rooker, Ruiz, Schwartz, Sloan, Sloop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Thimesch, Todd, Vickrey, Weber.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Sawyer.

The motion of Rep. Clayton did not prevail and **SB 142** be passed.

Committee report to **SB 187** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail. Also, on motion of Rep. Frownfelter to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **SB 136** be adopted; also, on motion of Rep. Jones be amended on page 6, in line 7, after "K.S.A." by inserting "65-2422d and"; following line 8, by inserting:

"(2) Nothing in this section shall prevent the transmittal of motor vehicle records for the purpose of processing voter registration applications.";

And by redesignating paragraphs accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "the division of vehicles; relating to"; in line 2, by striking "veterans; authorizing the director of vehicles to provide"; in line 3, by striking all before the semicolon and inserting "motor vehicle records"; and **SB 136** be passed as amended.

Committee report to **SB 111** be adopted; and the bill be passed as amended.

Committee report to **SB 63** be adopted; also, on motion of Rep. Huebert be amended on page 5, in line 7, following the period by inserting "Any funds remaining in such political committee may be donated in its entirety to a political party.";

Also, on motion of Rep. Dillmore to amend **SB 63**, the motion did not prevail. Also, on motion of Rep. Alcalá to amend, the motion did not prevail; and the bill be passed as amended.

On motion of Rep. Huebert, **HB 2391** be amended on page 2, in line 14, by striking "nine" and inserting "six"; in line 30, by striking "nine-year" and inserting "six-year"; in line 32, by striking "80%" and inserting "75%"; in line 34, by striking "nine-year" and inserting "six-year"; in line 36, by striking "70%" and inserting "60%"; in line 38, by striking "nine-year" and inserting "six-year"; in line 40, by striking "60%" and inserting "45%"; in line 42, by striking "nine-year" and inserting "six-year";

On page 3, in line 1, by striking "50%" and inserting "30%"; in line 3, by striking "nine-year" and inserting "six-year"; in line 4, after the semicolon, by inserting "and"; in line 5, by striking "40%" and inserting "15%"; in line 7, by striking "nine-year" and inserting "six-year"; in line 8, by striking the semicolon; by striking all in lines 9 through 19; in line 20, by striking all before the period; and the bill be passed as amended.

Committee report to **SB 164** be adopted; also, on motion of Rep. Menghini to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **SB 171** be adopted; and the bill be passed as amended.

Committee report to **HB 2197** be adopted; and the bill be passed as amended.

Committee report to **HB 2244** be adopted; also, on motion of Rep. Howell to amend Rep. Dillmore requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Howell to amend on page 5, following line 19, by inserting:

"New Sec. 3. (a) As used in this section:

(1) "Disaster area" means an area in which a proclamation declaring a state of disaster emergency has been issued by the governor.

(2) "Homestead" means the dwelling, or any part thereof, which is owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated.

(3) "Substantial damage" means damage of any origin sustained by a homestead as the direct result of a natural disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(b) On and after January 1, 2012, a homeowner whose homestead has sustained substantial damage and is located in a disaster area may apply to the state treasurer, or the state treasurer's designee, for benefits under this section. Upon application, the homeowner shall be required to:

(1) Demonstrate the appraised value of the homestead prior to it sustaining substantial damage by submitting either the last county appraisal of such homestead or a real estate appraisal of the homestead which was conducted not more than one year from the date the homestead sustained substantial damage; and

(2) submit affidavits and written estimates from two licensed contractors showing repair costs.

(c) (1) Upon application and submission of documents required by subsection (b), the state treasurer shall authorize a transfer of funds from the state emergency fund to the county treasurer in the amount calculated pursuant to this subsection. The county treasurer shall accept payment and apply it to the tax rolls to satisfy property taxes owed on the homestead by the taxpayer.

(2) The amount of the transfer from the state general fund to the county treasurer shall be computed as follows:

Date which substantial damage occurs	Amount of property tax credited
On or after January 1, but before February 1.....	Full amount
On or after February 1, but before March 1.....	$\frac{11}{12}$
On or after March 1, but before April 1.....	$\frac{5}{6}$
On or after April 1, but before May 1.....	$\frac{3}{4}$
On or after May 1, but before June 1.....	$\frac{2}{3}$
On or after June 1, but before July 1.....	$\frac{7}{12}$
On or after July 1, but before August 1.....	$\frac{1}{2}$
On or after August 1, but before September 1.....	$\frac{5}{12}$
On or after September 1, but before October 1.....	$\frac{1}{3}$
On or after October 1, but before November 1.....	$\frac{1}{4}$
On or after November 1, but before December 1.....	$\frac{1}{6}$
On or after December 1, but before January 1.....	$\frac{1}{12}$

(d) Under no circumstances shall the total amount of benefits authorized or granted to the aggregate of all applicants under this section exceed \$5,000,000 for the fiscal year commencing on July 1, 2012 and all fiscal years thereafter.

(e) The state treasurer shall adopt all rules and regulations necessary to implement and administer the provisions of this section.

Sec. 4. K.S.A. 2012 Supp. 75-3712 is hereby amended to read as follows: 75-3712. (a) The state emergency fund is hereby continued in the state treasury for the use of the state finance council created by K.S.A. 75-3708, and amendments thereto, for the purposes and within the limitations prescribed by K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d, 75-3714 and K.S.A. 2012 Supp. 75-3713e and section 2, and amendments thereto.

(b) (1) Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund. The total of all amounts transferred from the state general fund to the state emergency fund pursuant to this subsection (b)(1) during any fiscal year shall not exceed \$10,000,000, excluding all amounts transferred from the state general fund pursuant to subsection (b)(2).

(2) In addition to the provisions of subsection (b)(1), during the period commencing on the effective date of this act until January 14, 2008, notwithstanding the provisions of any other statute to the contrary:

(A) The director of the budget shall provide: (i) Notice to the state finance council that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, which is directly related to a severe weather-related state of disaster emergency declared by the governor pursuant to K.S.A. 48-924, and amendments thereto; and (ii) the director of the budget shall include with such notice the director's recommendations regarding a specific amount or amounts, which in the aggregate are equal to the insufficient amount, and which could be transferred to the state emergency fund for such purpose from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds; and

(B) upon approval such recommendation or any modification thereof by the state finance council, by unanimous vote of all of the members of the 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, the director of the budget shall certify to the director of accounts and reports such recommendation, including any modifications, as approved by the state finance council; and

(C) upon receipt of such certification by the director of the budget, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds, to the state emergency fund, except that the total of all amounts transferred to the state emergency fund pursuant to this subsection (b)(2) during the period commencing on the effective date of this act until January 14, 2008, shall not exceed \$25,000,000.";

And by renumbering sections accordingly;

On page 5, in line 20, after "Supp." by inserting "75-3712 and "; also in line 20, by striking "is" and inserting "are";

On page 1, in the title, in line 1, following "watercraft;" by inserting "homesteads destroyed by natural disasters;" in line 2, after "Supp." by inserting "75-3712 and"; in line 3, by striking "section" and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 50; Nays 69; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Becker, Bridges, Burroughs, Carlin, Christmann, Claeys, Clayton, Davis, DeGraaf, Dillmore, Doll, Dove, Edwards, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hermanson, Hibbard, Houston, Howell, Huebert, Kuether, Lusk, Meier, Menghini, Montgomery, O'Brien, Pauls, Peck, Pery, Read, Rooker, Rothlisberg, Ruiz, Sloop, Sutton, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcala, Alford, Barker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Concannon, Corbet, Crum, Dierks, Edmonds, Esau, Ewy, Finch, Grosserode, Hawkins, Hedke, Highland,

Hildabrand, Hill, Hineman, Hoffman, Houser, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Moxley, Petty, Phillips, Powell, Proehl, Rhoades, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Sloan, Suellentrop, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Sawyer, Siegfried.

The motion of Rep. Dillmore did not prevail; and **HB 2244** be passed as amended.

Committee report to **SB 23** be adopted; also, on motion of Rep. Huebert be amended on page 6, in line 6, by striking "22.5%" and inserting "12.5%";

On page 10, in line 38, by striking "and 72-6459";

Also, on motion of Rep. Winn to amend **SB 23**, the motion did not prevail.

Also, on motion of Rep. Kleeb, **SB 23** be amended on page 1, following line 8, by inserting:

"New Section 1. The director of budget and the director of legislative research shall jointly certify to the secretary of state that the aggregate amount of appropriations for the school district capital outlay state aid fund is equal to 100% of the amount that school districts are entitled to receive from the school district capital outlay state aid fund for such school year pursuant to K.S.A. 2012 Supp. 72-8814, and amendments thereto. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register.";

On page 21, following line 37, by inserting:

"Sec. 16. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 2012 Supp. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate for a period of not to exceed five years upon the taxable tangible property in the school district for the purposes specified in this act and for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy for a period not to exceed _____ years in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of buildings school district property and equipment necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses incidental thereto, the; (5) acquisition of building sites, the; (6) undertaking and maintenance of asbestos control projects, the; (7) acquisition of school buses and the; and (8) acquisition of other equipment fixed assets, and for the purpose of paying a portion of the principal and

interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for ~~the~~ that purpose or at the next general election, as is specified by the board of education of the above 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 above resolution shall be appropriately filled. The blank preceding the word "years" shall be filled with a specific number, and the blank preceding the word "mills" shall be filled with a specific number, and no word shall be inserted in either of the blanks. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and

maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 17. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 is hereby amended to read as follows: 72-8804. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of buildings school district property and equipment necessary for school district purposes, including: (1) Acquisition of computer software; (2) acquisition of performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; ~~(4) architectural expenses incidental thereto, the;~~ (5) acquisition of building sites, ~~the;~~ (6) undertaking and maintenance of asbestos control projects, ~~the;~~ (7) acquisition of school buses ~~and the;~~ and (8) acquisition of other equipment fixed assets.

(b) The board of education of any school district is hereby authorized to invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 18. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8812 is hereby amended to read as follows: 72-8812. This act shall not in any manner be construed as affecting the validity of any tax levies authorized to be made under article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act, nor shall this act in any manner be construed as affecting the validity of any bonds issued or authorized to be issued under ~~said~~ article 88 of chapter 72 of the Kansas Statutes Annotated prior to the effective date of this act.";

And by redesignating sections accordingly;

On page 22, following line 4, by inserting:

"Sec. 21. On July 1, 2013, and the date of publication in the Kansas register of the notice prescribed in section 1, K.S.A. 72-8804 and 72-8812 and K.S.A. 2012 Supp. 72-8801 are hereby repealed.";

On page 1, in the title, in line 3, after "72-6444" by inserting ", 72-8804 and 72-8812"; in line 5, after "72-6456" by inserting ", 72-8801";

Also, roll call was demanded on motion of Rep. Grosserode to amend **SB 23 on page 1, following line 8, by inserting "New Section 1. (a) As used in this section:**

(1) "Authorized to adopt an extracurricular school activities budget" means that a district has adopted a resolution under this section and the resolution was approved at an election thereon.

(2) "District average amount per pupil" means the average amount per pupil for the preceding school year of the combined general fund budget and local option budget of the district as computed by the state board under subsection (g).

(3) "School district" or "district" means a school which has adopted a local option budget of not less than 30% of the state financial aid of the district in the current school year and is below the statewide average amount per pupil.

(4) "State board" means the state board of education.

(5) "Statewide average amount per pupil" means the average amount per pupil for the preceding school year of the combined general fund budgets and local option budgets of all districts as computed by the state board under subsection (f).

(b) (1) Each school year, the board of education of any district, by resolution, may adopt an extracurricular school activities budget. Except as provided by subsection (b) (2), an extracurricular school activities budget shall not exceed 2% of the statewide average amount per pupil.

(2) If the sum of the district average amount per pupil and the extracurricular school activities budget as adopted in subsection (b)(1) is an amount greater than the statewide average per pupil, then the extracurricular school activities budget shall be the difference between the statewide average amount per pupil and the district average amount per pupil for such district.

(c) (1) Such resolution shall not be effective unless it is submitted to and approved by a majority of the qualified electors of the school district voting on the question at an election thereon. The resolution submitted to the qualified electors of the school district shall specify the maximum extracurricular school activities budget, which shall not exceed the amount determined in subsection (b). If any district is authorized to adopt an extracurricular school activities budget under this section, but the board of such district chooses, in any school year, not to adopt such a budget or chooses, in any school year, to adopt such budget in an amount less than the amount stated in the resolution, such board of education may so choose. Whenever an initial resolution has been adopted under this subsection, and such resolution specified an amount less than the amount specified in the resolution, the board of the district may adopt one or more subsequent resolutions under the same procedure as provided for the initial resolution and subject to the same conditions, and shall be authorized to increase the amount as specified in any such subsequent resolution. Any amount specified in a subsequent resolution or in subsequent resolutions shall be limited so that the sum of the percentage authorized in the initial resolution and the amount authorized in any subsequent resolution is not in excess of the amount determined in subsection (b). If the resolution is not approved by a majority of the voters voting on the question at the election thereon, no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(2) The authority to adopt an extracurricular school activities budget granted by the resolution to a school district shall expire five years from the date of the election in which the resolution was approved by the majority of the qualified electors of the school district voting on the question at the election thereon. Upon expiration, no school district shall levy a tax under subsection (h) unless a new resolution has been approved at an election in accordance with this subsection.

(d) Any election called pursuant to this section shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto, for the noticing,

calling and holding of elections upon the question of issuing bonds under the general bond law. Such election may be conducted in the manner provided by the mail ballot act.

(e) (1) There is hereby established in every district that adopts an extracurricular school activities budget a fund which shall be called an extracurricular school activities fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Amounts in the extracurricular school activities fund may be expended for the purpose of funding the cost of providing extracurricular school activities in the district which are voluntary activities sponsored by the school and are not required by state law to be provided in accredited schools. Extracurricular school activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.

(3) Any balance remaining in the extracurricular school activities fund at the end of the school year shall be carried forward into that fund for succeeding school years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the extracurricular school activities budget of such school district, the amounts credited to and the amount on hand in the extracurricular school activities fund, and the amount expended therefrom shall be included in the annual extracurricular school activities fund budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) Each school year, the state board shall determine the statewide average amount per pupil as follows:

(1) Determine the general fund budgets for all districts for the preceding school year.

(2) Determine the local option budgets for all districts for the preceding school year.

(3) Determine the enrollment of pupils in all districts for the preceding school year.

(4) Divide the sum of paragraphs (1) and (2) by paragraph (3). The result is the statewide average amount per pupil.

(g) Each school year for a district, the state board shall determine the district average amount per pupil as follows:

(1) Determine the general fund budget for the district for the preceding school year.

(2) Determine the local option budget for the district for the preceding school year.

(3) Determine the enrollment of pupils in the district for the preceding school year.

(4) Divide the sum of paragraphs (1) and (2) by paragraph (3). The result is the district average amount per pupil for such district.

(h) (1) The board of a district that has adopted an extracurricular school activities budget may levy an ad valorem tax on the taxable tangible property of the district for the purpose of financing that portion of the district's extracurricular school activities budget which is not financed from any other source provided by law and 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.

(2) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purposes 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 extracurricular school activities fund of the district.";

And by renumbering sections accordingly;

On roll call, the vote was: Yeas 41; Nays 78; Present but not voting: 0; Absent or not voting: 6.

Yeas: Becker, Bollier, Bradford, Bruchman, Campbell, Carlson, Christmann, Clayton, Corbet, DeGraaf, Dove, Edwards, Esau, Gandhi, Garber, Grosserode, Highland, Hildabrand, Houser, Howell, Huebert, Kinzer, Kleeb, Lunn, Lusk, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, Perry, Petty, Rhoades, Rooker, Rubin, Ryckman Jr., Schwab, Sutton, Todd, Vickrey.

Nays: Alcalá, Alford, Ballard, Barker, Bideau, Boldra, Bridges, Brunk, Burroughs, Couture-Lovelady, Carlin, Carpenter, Cassidy, Claeys, Concannon, Crum, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Hawkins, Hedke, Hermanson, Hibbard, Hill, Hineman, Hoffman, Houston, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kuether, Lane, Meier, Menghini, Moxley, O'Brien, Pauls, Peck, Phillips, Powell, Proehl, Read, Rothlisberg, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Sloop, Swanson, Thimesch, Tietze, Trimmer, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson, Henry, Osterman, Peterson, Siegfried, Suellentrop.

The motion of Rep. Grosserode did not prevail; and **SB 23** be passed as amended.

On motion of Rep. Hedke, **HB 2378** be amended on page 13, in line 40, after "all" by inserting "machinery and"; and the bill be passed as amended.

Committee report to **HB 2267** be adopted; also, on motion of Rep. Edmonds be amended on page 7, following line 8, by inserting:

"Sec. 3. K.S.A. 2012 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax.

This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2012 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xv) of subsection (c) of K.S.A. 79-32,117, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2012 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2012 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development

account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xiii) of subsection (c), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2012 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2012 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the

federal adjusted gross income of an individual taxpayer.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2012 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2012 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the

Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment

determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

And by renumbering sections accordingly;

Also on page 7, in line 9, before "79-32,160a" by inserting "79-32,117,";

On page 1 in the title, in line 1, by striking the second semicolon and inserting a comma; in line 2, after "program;" by inserting "deductions, certain expenses related to living donor organ donations;" in line 3, after "50,131" by inserting ", 79-32,117"; and **HB 2267** be passed as amended.

On motion of Rep. Hill, **HB 2396** be amended on page 1, following line 7, by inserting:

"New Section 1. (a) The state board of regents is hereby authorized for and on behalf of Emporia state university, to sell and convey, or exchange with the Emporia state university foundation for property of equal or greater value, all of the rights, title and interest in the following tract of real estate and any improvements thereon, located in the city of Emporia in Lyon county, Kansas, commonly known as Emporia State University Apartments at 1201 Triplett Drive, Emporia, Kansas 66801, and described as follows: Even lots 2 through 34 and all of now vacated alleys lying adjacent to said lots, lying south of the south right of way line of Interstate 35, all in Kellogg's addition to the City of Emporia, Lyon County, Kansas, according to the recorded plat thereof.

Also: Lots 1 through 24 in Norton's addition to the City of Emporia, Lyon County, Kansas, according to the recorded plat thereof, all of now vacated alleys lying adjacent to said lots, all of that part of now vacated Eskridge street and all of that part of now vacated Union Pacific railroad, lying west and south of East Street and south of the south right of way line of Interstate 35.

(b) Conveyance of such rights, title and interest in such tract of real estate, and any improvements thereon, shall be executed in the name of the state board of regents by its chairperson and chief executive officer. If a sale is made, not an exchange, the proceeds from sale of such tract of real estate, and any improvements thereon, shall be deposited in the state treasury to the credit of an appropriate account of the restricted fees fund of Emporia state university. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general.

(c) In the event that the state board of regents determines that the legal description of such tract of real estate described by this section is incorrect, the state board of regents may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

(d) No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general.

(e) The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2012 Supp. 75-6609, and amendments thereto.

New Sec. 2. (a) The state board of regents, for and on behalf of the university of Kansas, is hereby authorized to exchange and convey the real property described in subsection (b) to the Kansas university endowment association in consideration for the Kansas university endowment association exchanging and conveying the real property described in subsection (c) to the university of Kansas. The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and its chief executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2012 Supp. 75-6609, and amendments thereto.

(b) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey the following described real property to the Kansas university endowment association:

Part of Lots 2, 3 and 10, Block 8 Oread Addition, a subdivision in the City of Lawrence, Douglas County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of said Block 8 Oread Addition; thence South 01 degrees 50 minutes 57 seconds East along the West line of said Block 8 a distance of 250.07 feet to the Northwest corner of the South One-Half of Lot 10 Block 8 Oread Addition said point being the Point of Beginning; thence North 88 degrees 11 minutes 58 seconds East along the North line of the South One-Half of said Lot 10 a distance of 125.00 feet to a point said point being the Northeast corner of the South One-Half of said Lot 10; thence North 01 degrees 50 minutes 57 seconds West a distance of 100.00 feet to a point said point being the Northwest corner of the South One-Half of Lot 2 Oread Addition; thence North 88 degrees 11 minutes 58 seconds East along the North line of said South One-Half of Lot 2 a distance of 213.77 feet to a point on the Westerly right of way of Oread Avenue, said point also being the Northeast corner of the South One-Half of said Lot 2; thence South 08 degrees 59 minutes 36 seconds West along said Westerly right of way a distance of 120.26 feet to a point; thence South 88 degrees 11 minutes 58 seconds West a distance of 316.15 feet to a point on the West line of said Block 8 Oread Addition; thence North 01 degrees 50 minutes 57 seconds West along said West line a distance of 18.13 feet to the Point of Beginning, and containing 26,183.02 square feet, more or less. Excepting easements, rights of way or restrictions of record.

(c) In accordance with the provisions of this section, the university of Kansas is hereby authorized to accept title to the following described real property conveyed to the university by the Kansas university endowment association:

A Tract of land in the Southwest One-Quarter of Section 31, Township 12 South, Range 20 East of the 6th Principal Meridian, in the City of Lawrence, Douglas County, Kansas, more particularly described as follows:

Beginning at point on the West line of the Southwest One-Quarter of Section 31,

Township 12, Range 20 and 186.53 feet North of the Southwest corner thereof; thence North 01 degrees 49 minutes 01 seconds West along the West line of said Southwest One-Quarter a distance of 190.00 feet to a point on the South right of way of West 14th street as described in the deed recorded in Book 261 at Page 558; thence North 88 degrees 25 minutes 51 seconds East along the said South right of way a distance of 62.94 feet to a point; thence South 01 degrees 49 minutes 01 seconds East a distance of 76.15 feet to a point; thence North 88 degrees 25 minutes 51 seconds East a distance of 128.06 feet to a point; thence North 01 degrees 49 minutes 01 seconds West a distance of 28.65 feet to a point, said point being the Southwest corner of a tract of land described in the deed recorded in Book 304 at Page 626; thence North 88 degrees 25 minutes 51 seconds East along the South line of said tract, a distance of 120.00 feet to a point on the West right of way of Ohio Street; thence South 01 degrees 49 minutes 01 seconds East along the said West right of way a distance of 142.50 feet to a point, said point being the Northeast corner of a tract of land described in the deed recorded in Book 400 at Page 674; thence South 88 degrees 25 minutes 51 seconds West along the North line of said tract recorded in Book 400 at Page 674 and continuing along the North line of a tract of land described in the deed recorded in Book 347 at Page 1276 a distance of 311.00 feet to a point, said point being the Northwest corner of the said tract of land described in the deed recorded in Book 347 at Page 1276, said point also being the Point of Beginning, and containing 43,628.53 square feet, more or less. Excepting easements, rights of way or restrictions of record.";

And by redesignating sections accordingly;

On page 1, in the title, in line 1, by striking "surplus real estate;"; by striking all in lines 2 and 3; in line 4, by striking "determination" and inserting "real property"; and **HB 2396** be passed as amended.

Committee report to **SB 129** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Vickrey, pursuant to House Rule 2311, **SB 113, SB 199; HB 2403, HB 2391; SB 52, SB 149; SCR 1606; SB 142, SB 187, SB 23, SB 136, SB 111, SB 63, SB 164, SB 171; HB 2197, HB 2244, HB 2378, HB 2267, HB 2396; SB 129, SB 21** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 113, AN ACT concerning credit unions; pertaining to certain loans; amending K.S.A. 17-2216 and 17-2216a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley,

Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 199, AN ACT concerning the university of Kansas medical center; establishing the midwest stem cell therapy center, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 32; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dierks, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, O'Brien, Pauls, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Ballard, Bollier, Bridges, Carlin, Clayton, Davis, Dillmore, Doll, Finney, Frownfelter, Gandhi, Henderson, Hill, Hineman, Houston, Kuether, Lane, Lusk, Moxley, Perry, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2403, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; revenue bonds to finance unfunded liability of KPERS; requirements and procedures; employer contribution rates; amending K.S.A. 2012 Supp. 74-4914d and K.S.A. 2012 Supp. 74-4920 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 73; Nays 49; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Cassidy, Claeys, Clayton, Concannon, Corbet, Dierks, Doll, Dove, Edmonds, Esau, Ewy, Finch, Frownfelter, Garber, Goico, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Houser, Huebert, Hutton, Jennings, Johnson, Kelley, Kelly, Kinzer, Lane, Mast, McPherson, Meigs, Merrick, Moxley, O'Brien, Pauls, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ryckman Jr., Ryckman Sr., Sawyer, Schwartz, Seiwert, Shultz, Siegfried, Suellentrop, Swanson, Todd, Vickrey, Waymaster, Weber, Weigel, Whipple.

Nays: Alcala, Ballard, Bridges, Carlin, Carlson, Carpenter, Christmann, Crum, Davis, DeGraaf, Dillmore, Edwards, Finney, Gandhi, Gonzalez, Grant, Grosserode, Henderson, Hoffman, Houston, Howell, Jones, Kahrs, Kleeb, Kuether, Lunn, Lusk, Macheers, Meier, Menghini, Montgomery, Peck, Perry, Powell, Rubin, Ruiz, Schroeder, Schwab, Sloan, Sloop, Sutton, Thimesch, Tietze, Trimmer, Victors, Ward, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I want our public employees to have the best retirement available to them. I want KPERS reform to be fiscally responsible, so that future generations will have the same opportunity as the current generation. I don't believe this is a fiscally responsible approach to KPERS reform, therefore I vote no on **HB 2403**. – JOSH POWELL, KEVIN JONES

HB 2391, AN ACT concerning school finance; relating to the financing of ancillary school facilities; amending K.S.A. 2012 Supp. 72-6441 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 64; Nays 57; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Claeys, Clayton, Corbet, Crum, Davis, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Grosserode, Hedke, Highland, Hildabrand, Hoffman, Howell, Huebert, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Perry, Petty, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Thimesch, Todd, Trimmer, Vickrey, Waymaster, Weber.

Nays: Alcala, Alford, Barker, Becker, Bideau, Bridges, Burroughs, Carlin, Carpenter, Christmann, Concannon, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Goico, Gonzalez, Grant, Hawkins, Henderson, Hermanson, Hibbard, Hill, Hineman, Houser, Houston, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kuether, Lane, Meier, Menghini, Moxley, Pauls, Peck, Phillips, Rothlisberg, Ruiz, Sawyer, Seiwert, Sloop, Swanson, Tietze, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Lusk, Osterman, Peterson.

The bill passed, as amended.

SB 52, AN ACT concerning mortgage interest rates; amending K.S.A. 16-207 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf,

Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Lane.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 149, AN ACT concerning drug screening; amending K.S.A. 2012 Supp. {39-709,} 39-709e {}, 44-706 {and 75-4362} and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Alcalá, Ballard, Bollier, Bridges, Carlin, Finney, Henderson, Houston, Kuether, Lane, Ruiz, Sloop, Tietze, Victors, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SCR 1606, honoring pregnancy maintenance resource centers in Kansas and across the United States, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman,

Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The resolution was adopted.

SB 142, AN ACT concerning abortion; relating to civil actions related to the performance of abortions; amending K.S.A. 60-1901 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 89; Nays 33; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Ballard, Bollier, Bridges, Burroughs, Carlin, Clayton, Davis, Dillmore, Finney, Frownfelter, Gandhi, Henderson, Hill, Houston, Kuether, Lane, Lusk, Menghini, Perry, Rooker, Ruiz, Sawyer, Sloan, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

SB 187, AN ACT concerning workers; relating to the workers compensation and employment security boards nominating committee; administrative law judge appointments; workers compensation appeals board; amending K.S.A. 2012 Supp. 44-508, 44-551, 44-555c, 44-709 and 75-5708 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 34; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers,

Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber.

Nays: Alcalá, Ballard, Bridges, Burroughs, Carlin, Davis, Dillmore, Ewy, Finney, Frownfelter, Grant, Henderson, Houston, Huebert, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 23, AN ACT concerning school districts; relating to school finance; amending K.S.A. 72-6444 and K.S.A. 2012 Supp. 72-978, 72-6409, 72-6410, 72-6415b, 72-6431, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6456 and 79-201x and repealing the existing sections; also repealing K.S.A. 2012 Supp. 72-978a, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 136, AN ACT concerning the division of vehicles; relating to drivers' licenses and nondriver identification cards; relating to motor vehicle records; amending K.S.A. 2012 Supp. 8-243, 8-1324 and 74-2012 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke,

Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Carpenter, Houser, Kinzer.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 111, AN ACT concerning native Americans; amending K.S.A. 35-205 and K.S.A. 2012 Supp. 38-2285 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 63, AN ACT concerning elections; relating to voting; regarding penalties for voting crimes; concerning prosecution of election crimes; amending K.S.A. 25-2409, 25-2416, 25-2423, 25-2431 and 25-4153b and K.S.A. 2012 Supp. 25-1128 and 25-2507 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 53; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, Carlson, Cassidy, Christmann, Claeys, Concannon, Corbet, Crum, DeGraaf, Dove, Edmonds, Edwards, Esau, Ewy, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Merrick, Montgomery, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schwab, Schwartz, Seiwert,

Shultz, Siegfried, Sutton, Thimesch, Todd, Vickrey, Weber.

Nays: Alcalá, Alford, Ballard, Becker, Bollier, Bridges, Burroughs, Carlin, Carpenter, Clayton, Davis, Dierks, Dillmore, Doll, Finch, Finney, Frownfelter, Grant, Henderson, Hibbard, Hill, Hineman, Houston, Hutton, Jennings, Kuether, Lane, Lusk, Meier, Menghini, Moxley, Pauls, Perry, Phillips, Proehl, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Sloop, Suellentrop, Swanson, Tietze, Trimmer, Victors, Ward, Waymaster, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 164, AN ACT concerning motor vehicles; relating to the administration of vehicle functions; amending K.S.A. 2012 Supp. 8-126 and 8-129 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Grant, Kuether, Menghini, Tietze, Trimmer.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 171, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; amending K.S.A. 2012 Supp. 72-8254 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelley, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty,

Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2197, AN ACT concerning schools; relating to the high school activities association; pertaining to membership of the board and executive board; amending K.S.A. 72-130 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 53; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barker, Bideau, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlin, Carlson, Carpenter, Claeys, Clayton, Concannon, Corbet, DeGraaf, Dove, Edwards, Esau, Finch, Gandhi, Garber, Goico, Grosserode, Hawkins, Hedke, Henderson, Highland, Hildabrand, Hoffman, Houser, Howell, Huebert, Hutton, Jones, Kahrs, Kelley, Kinzer, Kleeb, Lane, Lunn, Macheers, Mast, McPherson, Meier, Meigs, Merrick, Montgomery, Moxley, O'Brien, Peck, Petty, Powell, Read, Rhoades, Rooker, Rothlisberg, Rubin, Sawyer, Schwab, Seiwert, Shultz, Siegfried, Suellentrop, Sutton, Vickrey, Victors, Weber, Whipple, Winn.

Nays: Alcala, Alford, Ballard, Becker, Boldra, Bridges, Burroughs, Campbell, Cassidy, Christmann, Crum, Davis, Dierks, Dillmore, Doll, Edmonds, Ewy, Finney, Frownfelter, Gonzalez, Grant, Hermanson, Hibbard, Hill, Hineman, Houston, Jennings, Johnson, Kelly, Kuether, Lusk, Menghini, Pauls, Perry, Phillips, Proehl, Ruiz, Ryckman Jr., Ryckman Sr., Schroeder, Schwartz, Sloan, Sloop, Swanson, Thimesch, Tietze, Todd, Trimmer, Ward, Waymaster, Weigel, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2244, AN ACT concerning property taxation; relating to watercraft; amending K.S.A. 2012 Supp. 79-306e and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 15; Present but not voting: 0; Absent or not voting: 3.

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

Waymaster, Weber, Weigel, Whipple.

Nays: Alcalá, Davis, Gonzalez, Grant, Henderson, Houston, Kuether, Menghini, Ruiz, Schroeder, Sloop, Tietze, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2244**. If the legislature approves this bill, Kansans who own watercraft valued under \$1,000 will be taxed \$12 per year. Kansans who own watercraft valued at \$1,050, will be assessed at 5%, or \$52.50. So, when the \$1,050 boat is taxed at the average statewide mill levy of 135, they will pay \$7.09 in taxes. Boats under \$1,000 pay \$12. Many boats over \$1,000 pay \$7.09. That is not fair; that is not sound tax policy. I vote no. – JULIE MENGhini

HB 2378, AN ACT concerning sales taxation; relating to exemptions; certain machinery and equipment used in surface mining activities; amending K.S.A. 2012 Supp. 79-3606 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 18; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Barker, Bridges, Carpenter, Claeys, Dove, Hoffman, Hutton, Kinzer, Mast, McPherson, Powell, Rhoades, Ryckman Jr., Shultz, Sloop, Suellentrop, Thimesch, Ward.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

HB 2267, AN ACT concerning income taxation; relating to credits; high performance incentive program; amending K.S.A. 2012 Supp. 74-50,131, 79-32,117 and repealing the existing section and 79-32,160a and repealing the existing sections; also repealing , was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson,

Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hedke, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelly, Kleeb, Kuether, Lane, Lunn, Lusk, Macheers, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Petty, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Davis, Dillmore, Esau, Hawkins, Hildabrand, Kahrs, Kelley, Kinzer, McPherson, Powell, Rubin, Sloop, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

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

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 129, AN ACT concerning the state bank commissioner; pertaining to fees; pertaining to costs of certain hearings; amending K.S.A. 9-804 and K.S.A. 2012 Supp. 9-1111, 9-1135, 9-1402, 9-1804, 9-2107, 9-2108 and 9-2111 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford,

Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carlson, Carpenter, Cassidy, Christmann, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Hawkins, Hedke, Henderson, Hermanson, Hibbard, Highland, Hill, Hineman, Hoffman, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kelly, Kinzer, Kleeb, Kuether, Lane, Lunn, Lusk, Mast, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Pauls, Peck, Perry, Phillips, Proehl, Read, Rhoades, Rooker, Rothlisberg, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Esau, Grosserode, Hildabrand, Houser, Kahrs, Kelley, Macheers, McPherson, Petty, Powell, Rubin, Todd.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed, as amended.

SB 21, AN ACT concerning firearms; relating to definition of firearm; criminal possession of a firearm by a convicted felon; expungement; relating to the personal and family protection act; amending K.S.A. 2012 Supp. 12-16,124, 21-6304, 21-6614, 75-7c03, 75-7c04, 75-7c05, 75-7c07 and 75-7c25 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Henderson, Ruiz, Winn.

Present but not voting: None.

Absent or not voting: Henry, Osterman, Peterson.

The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House nonconcurred in Senate amendments to **S Sub for HB 2150** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Kleeb, Suellentrop and Frownfelter as conferees on the part of the House.

On motion of Rep. DeGraaf, the House nonconcurred in Senate amendments to **HB 2139** and asked for a conference.

Speaker Merrick thereupon appointed Reps. DeGraaf, Kelly and Frownfelter as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **HB 2139** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Shultz, Hermanson and Finney as conferees on the part of the House.

On motion of Rep. Rhoades, the House nonconcurred in Senate amendments to **HB 2149** and asked for a conference.

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

On motion of Rep. Schwab, the House nonconcurred in Senate amendments to **HB 2162** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Schwab, Huebert and Sawyer as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2128** and asked for a conference.

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

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2164** and asked for a conference.

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

On motion of Rep. Huebert, the House nonconcurred in Senate amendments to **HB 2249** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Huebert, Phillips and Alcala as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **HB 2107** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Shultz, Hermanson and Finney as conferees on the part of the House.

On motion of Rep. Rubin, the House nonconcurred in Senate amendments to **S Sub for HB 2043** and asked for a conference.

Speaker Merrick thereupon appointed Reps. Rubin, Gonzalez and Finney as conferees on the part of the House.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2411, AN ACT concerning aircraft; prohibiting certain purchases, by Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 72, SB 210, SB 235**.

Announcing passage of **HB 2012, HB 2135, HB 2144, HB 2156, HB 2160, HB 2163, HB 2169, HB 2181, HB 2205, HB 2212, HB 2221, HB 2269, HB 2368**.

Announcing passage of **HB 2011**, as amended by **S Sub for HB 2011; HB 2043**, as amended by **S Sub for HB 2043; HB 2107**, as amended; **HB 2128**, as amended; **HB 2139**, as amended; **HB 2149**, as amended; **HB 2150**, as amended by **S Sub for HB 2150; HB 2162**, as amended; **HB 2164**, as amended; **HB 2170**, as amended; **HB 2249**, as amended; **HB 2261**, as amended; **HB 2339**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 72, SB 210, SB 235.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **H Sub for SB 22** from the Calendar under the heading General Orders and rereferral to Committee on Education.

Also, the withdrawal of **H Sub for SB 18** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **SB 107** from the Calendar under the heading General Orders and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **H Sub for SB 167** from the Calendar under the heading General Orders and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **SB 104** from the Calendar under the heading General Orders and rereferral to Committee on Education.

Also, the withdrawal of **SB 121** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **SB 8** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

Also, the withdrawal of **SB 80** from the Calendar under the heading General Orders 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. **HR 6025**—

By Representative Whipple

A RESOLUTION congratulating the Wichita South High School women's basketball team on its class 6A state championship.

WHEREAS, The Wichita South High School women's basketball team won the class

6A state title for 2013; and

WHEREAS, This is the first state title the Wichita South High School women's basketball team has won since 1978. The women defeated the Wichita Heights High School women's basketball team with a score of 46-44; and

WHEREAS, Members of this year's Wichita South High School women's basketball team include Kendrian Elliott, Rachala Ross, Brionna Ross, Eledria Franklin, Ericka Mattingly, Ashlynd Horton, Princess Alcaraz, Kirea Rogers, Patrice Dodson, Madison Northcutt, Sydni James, and Kiera Broehl. The team managers were Ogechi Odunze, Datreona Tramble, Bria Russell, and Felicia Papamie; and

WHEREAS, The team's coach, Antwain Scales, along with assistant coaches, Heidi Dreiling and Wayne Riddle, worked diligently with this year's team, improving the team's skills and ultimately leading them to the 2013 class 6A state championship: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate the Wichita South High School women's basketball team on its class 6A state championship. These young women have worked hard throughout the season, and this state title is a testament to that hard work; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide 21 enrolled copies of this resolution to Representative Whipple.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5017**, by Reps. Merrick and Davis, as follows, was introduced and adopted:

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for periods during the 2013 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the House of Representatives shall adjourn at the close of business of the daily session convened on March 27, 2013, and the Senate shall adjourn at the close of business of the daily session convened on March 27, 2013, and each house shall reconvene on April 1, 2013, pursuant to adjournment of such daily session of each house; and

Be it further resolved: That the legislature shall adjourn at the close of business of the daily session convened on April 5, 2013, and shall reconvene on May 8, 2013, pursuant to adjournment of the daily session convened on April 5, 2013; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a, and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and

members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

REPORT OF STANDING COMMITTEE

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

Request No. 84, by Representative Jennings, commending Hayden Goudy on achieving the rank of Eagle Scout;

Request No. 85, by Representatives Thimesch and Hoffman, congratulating the Norwich High School Girls Basketball Team on winning second place in the state tournament;

Request No. 86, by Representative Ewy, commending Hunter Fitzpatrick for winning the "If I Were Mayor" essay contest for the South Central Region of Kansas;

Request No. 87, by Representatives Henderson and Houston, congratulating Sis Linda A. Cofield on celebrating forty years as Kansas East State Minister of Music;

Request No. 88, by Representative Whipple, congratulating Wichita South High School Lady Titans Basketball Team on winning the 2013 6A State Title;

Request No. 89, by Representative Weigel, commending Samuel Reese Holston on achieving the rank of Eagle Scout;

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

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

REPORT ON ENGROSSED BILLS

HB 2101, HB 2181, HB 2197, HB 2391, HB 2403 reported correctly engrossed March 26, 2013.

REPORT ON ENROLLED BILLS

HB 2007, HB 2041, HB 2096, HB 2193, HB 2305 reported correctly enrolled, properly signed and presented to the Governor on March 26, 2013.

REPORT ON ENROLLED RESOLUTIONS

HR 6022, HR 6023 reported correctly enrolled and properly signed on March 26, 2013.

On motion of Rep. Vickrey the House adjourned pro forma until March 27, 2013 at 9:00 a.m.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

