

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 14, 2014, 11:00 a.m.

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

The roll was called with 119 members present.

Reps. Menghini and Peterson were excused on verified illness.

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

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

Prayer by Rep. Houston.

The Pledge of Allegiance was led by Rep. Bradford.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2687, AN ACT concerning the distribution of unclaimed property act; relating to hearings; amending K.S.A. 58-3963 and 58-3967 and repealing the existing sections, by Committee on Financial Institutions.

HB 2688, AN ACT concerning pharmacy benefits managers; enacting the continued access to community pharmacy act; amending K.S.A. 2013 Supp. 40-3822 and repealing the existing section, by Committee on Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2682**, **SB 272**, **SB 276**.

Appropriations: **HB 2675**, **HB 2680**.

Education: **HB 2686**.

Elections: **SB 99**.

Federal and State Affairs: **HB 2683**, **SB 54**.

Health and Human Services: **HB 2671**, **HB 2673**, **HB 2685**.

Insurance: **HB 2678**.

Judiciary: **HB 2676**, **HB 2677**, **HB 2684**, **SB 254**, **SB 256**, **SB 258**, **SB 269**.

Taxation: **HB 2670**, **HB 2672**, **HB 2679**, **SB 265**, **SB 266**.

Transportation: **HB 2674**.

Veterans, Military and Homeland Security: **HB 2681**.

CHANGE OF REFERENCE

Speaker pro tem Mast announced the withdrawal of **HB 2583** from Committee on Taxation and referral to Committee on Judiciary.

Also, the withdrawal of **HB 2598** from Committee on Federal and State Affairs and referral to Committee on Commerce, Labor and Economic Development.

MESSAGE FROM THE GOVERNOR

February 12, 2014

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 14-450 for your information.

EXECUTIVE DIRECTIVE NO. 14-450
Authorizing Expenditure of Federal Funds

SAM BROWNBACK
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2510**, **HB 2537** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2422, AN ACT concerning property taxation; relating to watercraft; definition, levy of tax, exemptions; amending K.S.A. 2013 Supp. 79-5501 and repealing the existing section, was considered on final action.

Call of the House was demanded.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Edwards, Hutton, Menghini, Peterson, Thimesch.

The bill passed, as amended.

HB 2464, AN ACT concerning taxation; relating to deductions, privilege tax; certain depreciable property; amending K.S.A. 2013 Supp. 79-32,143a and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Edwards, Hutton, Menghini, Peterson, Thimesch.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2470**, **HB 2544** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2550** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2433**, **HB 2479** be passed.

Committee on **Federal and State Affairs** recommends **HB 2196** be amended on page 1, in line 9, by striking "has not been" and inserting "is not"; also in line 9, by striking "for at least 10"; by striking all in lines 10 through 13; in line 14, by striking all before the semicolon;

On page 2, in line 31, by striking all after "(4)"; by striking all in lines 32 and 33; in line 34, by striking "(5)"; and by renumbering remaining paragraphs accordingly;

On page 3, in line 20, by striking all after "reason"; by striking all in line 21; in line

22, by striking "requirement";

On page 1, in the title, in line 1, by striking "licensure of"; in line 2, by striking "distributors" and inserting "citizenship requirements for licensure under the Kansas liquor control act; relating to retailer licenses"; and the bill be passed as amended.

The **General Government Budget Committee** recommends **HB 2504**, **HB 2507** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2491** be amended on page 1, in line 24, by striking "and file" and inserting "for the sole purpose of filing and arguing"; and the bill be passed as amended.

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

Committee on **Taxation** recommends **HB 2557** be passed.

Committee on **Taxation** recommends **HB 2455** be amended on page 7, in line 29, by striking "or installed"; in line 31, after "thereto," by inserting "or which have been installed after December 31, 2013."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2456** be amended on page 1, in line 24, by striking "2012" and inserting "2013"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2452** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2452," as follows:

"Substitute for HOUSE BILL NO. 2452

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the donate life, disabled veterans, rotary international and Kansas horse council license plates; amending K.S.A. 8-161 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2452** was thereupon introduced and read by title.)

Committee on **Veterans, Military and Homeland Security** recommends **HB 2527** be amended on page 1, in line 15, by striking "principal of such school or the principal's" and inserting "superintendent or the superintendent's"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 20, by Representative Dove, congratulating Ryan Proctor for being named the the All-Kansas Academic Team;

Request No. 21, by Representative Dove, congratulating Gabriella Acosta for being named to the All-Kansas Academic Team;

Request No. 22, by Representative Seiwert, congratulating Bonnie Neville for her retirement after 44 years of service to the women of the Hutchinson Community College Dragon Doll Dance Team;

Request No. 23, by Representative Lusk, congratulating the Kansas Parent Teacher Association for their 100th Anniversary;

Request No. 24, by Representative O'Brien, congratulating Haley Arevalo for receiving the Girl Scout Gold Award;

Request No. 25, by Representative O'Brien, congratulating Emma DeMaranville for

receiving the Girl Scout Gold Award;

Request No. 26, by Representative O'Brien, congratulating Shannon Haufler for receiving the Girl Scout Gold Award;

Request No. 27, by Representative O'Brien, congratulating Rachel E. Woods for receiving the Girl Scout Gold Award;

Request No. 28, by Representative Kiegerl, congratulating Melody Baker for receiving the Girl Scout Gold Award;

Request No. 29, by Representative Victors, congratulating Dr. Surendra P. Singh for 45 years of outstanding service and dedication to science education at Newman University;

Request No. 30, by Representative Moxley, congratulating Mildred Harkness on her 100th birthday and a lifetime of achievement;

Request No. 31, by Representative Moxley, congratulating Lester McClintock on her 100th birthday and a lifetime of achievement;

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.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2689, AN ACT concerning driving; relating to driving while license canceled, suspended or revoked; amending K.S.A. 2013 Supp. 8-262 and repealing the existing section, by Committee on Judiciary.

HB 2690, AN ACT concerning insurance; providing coverage for telemedicine mental health services; amending K.S.A. 2013 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Health and Human Services.

HB 2691, AN ACT concerning health care; relating to transportable physician orders for patient preferences, by Committee on Federal and State Affairs.

HB 2692, AN ACT concerning firefighting; relating to interstate compacts; great plains interstate fire compact, by Committee on Agriculture and Natural Resources.

HB 2693, AN ACT concerning commercial driver's licensing; relating to the knowledge and skills test; seasonal commercial driver's license; amending K.S.A. 8-2,146 and K.S.A. 2013 Supp. 8-2,133 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2694, AN ACT concerning hunting; relating to criminal hunting; criminalizing hunting without written permission of the landowner; removing requirements to post or mark land for hunting purposes; amending K.S.A. 2013 Supp. 21-5810 and 32-1013 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2695, AN ACT concerning water; relating to civil penalties in the water appropriation act; creating the crime of sprinkling irrigation water on highways; amending K.S.A. 68-184 and K.S.A. 2013 Supp. 82a-737 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2696, AN ACT concerning the revised Kansas code for care of children; relating to custody; seriously ill or injured child; supervised visits by family members, by Committee on Corrections and Juvenile Justice.

HB 2697, AN ACT creating the task force on obesity prevention, management and nutrition education, by Committee on Appropriations.

HB 2698, AN ACT concerning law enforcement officers; relating to complaints, by Committee on Corrections and Juvenile Justice.

HB 2699, AN ACT concerning crimes, criminal procedure and punishment; relating to corporal punishment; battery; domestic battery; endangering a child; abuse of a child; amending K.S.A. 2013 Supp. 21-5111, 21-5413, 21-5414, 21-5601 and 21-5602 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2700, AN ACT concerning crimes, punishment and criminal procedure; relating to domestic violence designation; sentencing; electronic monitoring; amending K.S.A. 2013 Supp. 21-6604, 21-6607 and 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2701, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, III, and IV; amending K.S.A. 2013 Supp. 65-4105, 65-4109 and 65-4111 and repealing the existing sections, by Committee on Health and Human Services.

HB 2702, AN ACT concerning motor vehicles; relating to registration of vehicles; traffic infractions; amending K.S.A. 2013 Supp. 8-142, 8-285, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 21-6614d, by Committee on Corrections and Juvenile Justice.

HB 2703, AN ACT concerning crimes, criminal procedure and punishment; relating to criminal history; out-of-state misdemeanors; amending K.S.A. 2013 Supp. 21-6811 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2704, AN ACT concerning autism; providing insurance coverage for autism spectrum disorder; requiring licensure of persons providing applied behavior analysis; amending K.S.A. 2013 Supp. 40-2,103, 40-19c09 and 75-6524 and repealing the existing sections, by Committee on Insurance.

HB 2705, AN ACT concerning compulsory school attendance; relating to material change of circumstances; truancy; amending K.S.A. 2013 Supp. 23-3218 and 72-1113 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2706, AN ACT concerning visual depictions of children; creating the crimes of unlawful transmission of a visual depiction of a child and unlawful possession of a visual depiction of a child; relating to sexual exploitation of a child; revised Kansas code for care of children; amending K.S.A. 2013 Supp. 21-5510 and 38-2202 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2707, AN ACT concerning the secretary of corrections; relating to parole officers; firearms; amending K.S.A. 75-5214 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2708, AN ACT concerning the department of corrections; relating to location of parole offices, by Committee on Corrections and Juvenile Justice.

HB 2709, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; relating to pari-mutuel racing; creating the Kansas agricultural opportunity act; amending K.S.A. 74-8826 and 74-8836 and K.S.A. 2013 Supp. 74-8734, 74-8741, 74-8744, 74-8746, 74-8747, 74-8751, 74-8823 and 74-8831 and

repealing the existing sections; also repealing K.S.A. 74-8824, by Committee on Federal and State Affairs.

HB 2710, AN ACT concerning crimes and punishment; relating to a mandatory term of imprisonment of 35 years for certain sex offenders; amending K.S.A. 2013 Supp. 21-6627 and repealing the existing section, by Committee on Judiciary.

HB 2711, AN ACT enacting the public speech protection act, by Committee on Judiciary.

HB 2712, AN ACT concerning crimes and punishment; relating to domestic battery; amending K.S.A. 2013 Supp. 21-5414 and repealing the existing section, by Committee on Judiciary.

HB 2713, AN ACT concerning motor vehicles; relating to commercial vehicles, definition; property tax; refunds; amending K.S.A. 2013 Supp. 8-143m, 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04 and 79-1439 and repealing the existing sections, by Committee on Transportation.

HB 2714, AN ACT concerning sales taxation; relating to exemptions; county councils on aging; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2715, AN ACT regulating traffic; concerning permits; relating to farm machinery and equipment; amending K.S.A. 2013 Supp. 8-1911 and repealing the existing section, by Committee on Transportation.

HB 2716, AN ACT concerning children and minors; relating to adoption; amending K.S.A. 59-2115, 59-2116 and 59-2121 and K.S.A. 2013 Supp. 59-2133 and 65-508 and repealing the existing sections, by Committee on Children and Seniors.

HB 2717, AN ACT concerning the department for aging and disability services; relating to registration of operators; amending K.S.A. 2013 Supp. 39-923 and repealing the existing section, by Committee on Children and Seniors.

HB 2718, AN ACT concerning parentage; establishing a putative father registry, by Committee on Children and Seniors.

HB 2719, AN ACT enacting the uniform power of attorney act, by Committee on Judiciary.

HB 2720, AN ACT concerning workplace bullying, abuse and harassment of state employees; state agency policy to address and correct workplace bullying, abuse and harassment, by Committee on Appropriations.

HB 2721, AN ACT concerning business entities; relating to business formation and filing requirements; enacting the business entity standard treatment act; amending K.S.A. 17-6002, 17-7673, 17-7674 and 17-7677 and K.S.A. 2013 Supp. 17-6003 and 56a-1102 and repealing the existing sections; also repealing K.S.A. 17-6003a, 17-6201, 17-6202, 17-6203, 17-6205, 17-6206, 17-7302, 17-7303, 17-7306, 17-7402, 17-7664, 17-7665, 17-7666, 17-7676, 17-7683, 17-76,120, 17-76,121a, 17-76,123, 17-76,124, 17-76,125, 17-76,136, 17-76,142, 56-1a102, 56-1a103, 56-1a105, 56-1a108, 56-1a154, 56-1a155, 56-1a501, 56-1a502, 56-1a503, 56-1a505, 56-1a506, 56-1a511, 56-1a605, 56a-1002, 56a-1101 and 56a-1104 and K.S.A. 2013 Supp. 17-6204, 17-7301, 17-7506, 17-7678, 56-1a104, 56-1a504, 56a-1005 and 56a-1106, by Committee on Judiciary.

HB 2722, AN ACT concerning rural housing incentive districts; amending K.S.A. 2013 Supp. 72-6431 and repealing the existing section, by Committee on Appropriations.

REPORT ON ENROLLED RESOLUTIONS

HR 6045, HR 6047 reported correctly enrolled and properly signed on February 14, 2014.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Monday, February 17, 2014.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

