

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 18, 2011, 11:00 a.m.

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

The roll was called with 118 members present.

Reps. Fund, Kiegerl, and K. Wolf were excused on verified illness.

Reps. Dillmore, Montgomery, Peterson and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
 Whatever the circumstances we find ourselves in today,
 we take comfort in the promises of Your Word.
 For those feeling stressed...
*“In my distress I called to the Lord;
 I cried to my God for help.
 From his temple he heard my voice;
 my cry came before him, into his ears.”*
 For those feeling overwhelmed...
*“He reached down from on high and took hold of me;
 He drew me out of deep waters.
 He rescued me from those who were too strong for me;
 the Lord was my support.”*
 For those desiring to keep the faith...
*“To the faithful you show yourself faithful,
 to the blameless you show yourself blameless,
 to the pure you show yourself pure.”*
 For those seeking the right answers...
*“As for God, his way is perfect;
 the word of the Lord is flawless.
 It is God who arms me with strength
 and makes my way perfect.”*
 In Your Son's Name, I claim these promises,
 Amen.
 (Based on Psalm 18)

The Pledge of Allegiance was led by Rep. Peck.

Kansas Trivia Question – In the 1890’s in Wichita, Alexander P. Hyde invented a patent medicine called ‘The Little Nurse for Little Ills’ that made him the richest man in Kansas for a time. What was the medicine?

Answer: Mentholatum

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2356, AN ACT concerning retirement and pensions; relating to employment after retirement; amending K.S.A. 2010 Supp. 74-4914 and repealing the existing section, by Committee on Appropriations.

HB 2357, AN ACT creating the Arkansas river gaging fund, by Committee on Appropriations.

HB 2358, AN ACT concerning taxation; relating to rate of taxation; distribution of revenue, refunds of sales tax on food; income taxation, certain credits; amending K.S.A. 2010 Supp. 79-32,205, 79-3603, 79-3620, 79-3633, 79-3635, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Appropriations.

HB 2359, AN ACT concerning criminal procedure; relating to health care payments for persons in custody; amending K.S.A. 22-4612 and repealing the existing section, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5019**—

By Committee on Appropriations

A CONCURRENT RESOLUTION requesting the study and recommendation of an administrative reorganization of school districts by the state board of education.

WHEREAS, Article 6 of the constitution of the state of Kansas requires the legislature to make suitable provision for the finance of the educational interests of the students of Kansas and to provide for the intellectual, educational, vocational and scientific improvement in the educational interests of the students of Kansas; and

WHEREAS, In fulfillment of its constitutional obligations to the students of Kansas, the legislature hereby finds and declares that there is a need for a reorganization in the administration of the public school system; and

WHEREAS, The legislature hereby recognizes that the state board of education has the information and resources to study, design and make recommendations on the structure of such reorganization: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the state board of education is hereby requested to study, design and make recommendations on the reorganization of the administration of the public school system such that upon such reorganization there is no more than one superintendent overseeing every 10,000 pupils enrolled in public schools; and

Be it further resolved: That the state board of education is to prepare a report on its recommended reorganization and present such report to the legislature no later than January 1, 2012; and

Be it further resolved: That the Secretary of State be directed to provide an enrolled copy of this resolution to the Kansas State Board of Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Commerce and Economic Development: **SB 77**.

Corrections and Juvenile Justice: **SB 37**.

Education: **HCR 5018**.

Federal and State Affairs: **HB 2353, HB 2354**.

Taxation: **HB 2347, HB 2348, HB 2349, HB 2350, HB 2351, HB 2352, HB 2355; HCR 5017**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2087, HB 2305** from Committee on Judiciary and referral to Committee on Appropriations.

CONSENT CALENDAR

No objection was made to **HB 2267** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2074** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2074, AN ACT concerning insurance rate filings; pertaining to the disclosure of certain information; amending K.S.A. 2010 Supp. 40-955 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 5; Present but not voting: 1; Absent or not voting: 7.

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

Nays: Brown, Grosserode, Hildabrand, Kinzer, Tyson.

Present but not voting: Landwehr.

Absent or not voting: Dillmore, Fund, Kiegerl, Montgomery, Peterson, Schwab, K. Wolf.

The bill passed.

HB 2013, AN ACT repealing K.S.A. 48-1901, 48-1902, 48-1903, 48-1904 and 48-

1905; concerning the sale and purchase of certain firearms. , was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Fund, Kiegerl, Montgomery, Peterson, Schwab, K. Wolf.

The bill passed.

HB 2029, AN ACT concerning the Kansas tort claims act; concerning charitable health care providers; amending K.S.A. 2010 Supp. 75-6102 and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Fund, Kiegerl, Montgomery, Peterson, Schwab, K. Wolf.

The bill passed, as amended.

HB 2060, AN ACT concerning disposal of decedents' remains; amending K.S.A. 65-1734 and repealing the existing section, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Fund, Kiegerl, Montgomery, Peterson, Schwab, K. Wolf.

The bill passed, as amended.

HB 2140, AN ACT concerning expired committees, commissions, and task forces; amending K.S.A. 2010 Supp. 65-1,177 and repealing the existing sections; also repealing K.S.A. 12-5309, 46-2701, 46-3201, and 66-1226 and K.S.A. 2010 Supp. 2-1921, 2-1922, 2-1923 and 46-3702, was considered on final action.

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

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

Nays: None.

Present but not voting: None.

Absent or not voting: Dillmore, Fund, Kiegerl, Montgomery, Peterson, Schwab, K. Wolf.

The bill passed.

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

COMMITTEE OF THE WHOLE

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

HB 2205, HB 2172, HB 2175, HB 2230 be passed.

HB 2124 be passed over and retain a place on the calendar.

Committee report to **HB 2118** be adopted; and the bill be passed as amended.

Committee report to **HB 2093** be adopted; also, on motion to recommend the bill favorably for passage, the motion did not prevail.

Committee report to **HB 2171** be adopted; also, on motion of Rep. Rep. Knox, to rerefer **HB 2171** to Committee on Transportation, the motion prevailed.

Committee report to **HB 2132** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2231** be amended on page 2, in line 31, after "account" by inserting "authorized by the term permit";

On page 1, in the title, in line 1, by striking "water bank" and inserting "multi-year"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2149** be amended on page 1, in line 30, after "purchased" by inserting ", or by approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2125, HB 2130** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2151, HB 2249** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2152, HB 2227** 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 **Energy and Utilities** recommends **HB 2122** be amended on page 1, in line 30 after "fund.", by inserting "After all amounts have been paid pursuant to certifications for the fiscal year ending on June 30,"; in line 31, by striking "remain"; by striking all in line 32; in line 33, by striking "production incentives in ensuing fiscal years."; and inserting "be transferred by the director of accounts and reports to the motor vehicle fuel tax refund fund.";

On page 2, following line 1, by inserting:

"Sec. 2. K.S.A. 2010 Supp. 79-34,163 is hereby amended to read as follows: 79-34,163. (a) A Kansas qualified agricultural ethyl alcohol producer shall be paid a production incentive for distilling agricultural ethyl alcohol. The incentive shall be payable to the Kansas qualified agricultural ethyl alcohol producer from the Kansas qualified agricultural ethyl alcohol producer incentive fund. The amount of the production incentive shall be as follows:

(1) During fiscal years 2002, 2003 and 2004, the amount shall be \$.05 for each gallon of agricultural ethyl alcohol sold by the producer who is in production prior to July 1, 2001, to an alcohol blender. Any such amounts pursuant to this subsection shall be paid from the current production account of the Kansas qualified agricultural ethyl alcohol producer incentive fund;

(2) If the producer who is in production prior to July 1, 2001, increases the producer's agricultural ethyl alcohol production capacity on or after July 1, 2001, by an amount of 5,000,000 gallons over the producer's base sales, such producer shall receive an amount equal to ~~\$.075~~ \$.035 for each gallon of agricultural ethyl alcohol sold by the producer to an alcohol blender that is in excess of the producer's base sales. No producer shall receive the production incentive pursuant to this subsection for more than 15,000,000 gallons sold. Any such amount shall be paid from the new production account of the fund; and

(3) any producer who commences production on or after July 1, 2001, the amount shall be ~~\$.075~~ \$.035 for each gallon of agricultural ethyl alcohol sold by such producer to an alcohol blender, if such producer has sold at least 5,000,000 gallons. No producer shall receive the production incentive pursuant to this subsection for more than 15,000,000 gallons sold. Any such amounts shall be paid from the new production account of the fund.

(b) For the purposes of subsection (a), a producer's base sales shall be the number of gallons of agricultural ethyl alcohol sold by the producer to an alcohol blender in calendar year 2000. All new production incentives pursuant to this section for a producer who is in production prior to July 1, 2001, shall be based on such producer's base sales.

(c) The amounts payable to a producer as provided in subsections (a)(2) and (a)(3) shall be payable for no more than seven years to any one producer.

(d) The Kansas qualified agricultural ethyl alcohol producer shall file for the production incentive beginning July 1, 2001, and quarterly thereafter, on a form furnished by the department of revenue. The form shall require the producer to file such information as the secretary of revenue may require by rules and regulations, but shall include information relating to the original production records and invoices issued to the alcohol blender at the time of delivery, showing the total number of gallons of agricultural ethyl alcohol sold to the alcohol blender for the previous three months.

(e) The secretary of revenue may adopt such rules and regulations necessary to administer the provisions of this act, including the development of a procedure for the payment of the production incentive.";

And by renumbering sections accordingly;

Also on page 2, in line 5, after "79-34,161" by inserting ", 79-34,163";

On page 1, in the title, in line 2 after "79-34,161" by inserting ", 79-34,163"; and the bill be passed as amended.

Committee on **Government Efficiency** recommends **HB 2158** be amended on page 1, in line 11, by striking "sate" and inserting "state"; in line 15, after "thereto" by inserting ", except that the university of Kansas hospital authority shall not be included in such definition for the purposes of sections 1 through 3, and amendments thereto"; in line 28, by striking "shall also be"; in line 29, by striking "to" and inserting "shall"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2182** be amended on

page 2, following line 10, by inserting the following:

"Sec. 2. K.S.A. 2010 Supp. 65-1671 is hereby amended to read as follows: 65-1671. The following criteria shall be used in accepting unused medications for use under the utilization of unused medications act:

(a) The medications shall have come from a controlled storage unit of a donating entity;

(b) ~~only medications sealed by the pharmacy~~ only medications in their original or pharmacist sealed unit dose packaging or ~~hermetically sealed by the pharmacy~~ in tamper evident packaging, unit of use or sealed, unused injectables shall be accepted and dispensed pursuant to the utilization of unused medications act;

(c) expired medications shall not be accepted;

(d) a medication shall not be accepted or dispensed if the person accepting or dispensing the medication has reason to believe that the medication is adulterated;

(e) no controlled substances shall be accepted; and

(f) subject to the limitation specified in this section, unused medications dispensed for purposes of a medical assistance program or drug product donation program may be accepted and dispensed under the utilization of unused medications act.";

And renumbering sections accordingly;

Also on page 2, in line 11, by striking "is" and inserting "and 65-1671 are";

On page 1, in the title, in line 2, by inserting after "65-1669" the following: "and 65-1671"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HCR 5006** be amended on page 1, in line 15, after "redirect" by inserting "an appropriation";

On page 2, in line 3, by striking "and the existing order that directs the"; by striking all in line 4; in line 5, by striking "remain in effect"; in line 12, by striking "April" and inserting "November"; also in line 12, by striking "2011" and inserting "2012"; and the resolution be adopted as amended.

Committee on **Transportation** recommends **HB 2034** be passed.

Committee on **Transportation** recommends **HB 2192** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 8-1508 is hereby amended to read as follows: 8-1508. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) *Green indication.* (1) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at such place prohibits either such turn; but vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(2) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may enter the intersection cautiously only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using

the intersection.

(3) Unless otherwise directed by a pedestrian-control signal, as provided in K.S.A. 8-1509, and amendments thereto, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) *Steady yellow indication.* (1) Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(2) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in K.S.A. 8-1509, and amendments thereto, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway;

(c) *Steady red indication.* (1) Vehicular traffic facing a steady circular red or red arrow signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain standing until an indication to proceed is shown, except as provided in paragraphs (2) ~~and~~, (3) ~~and~~ (4) of this subsection. Any turn provided for in ~~said~~ paragraphs (2) ~~and~~, (3) ~~and~~ (4) shall be governed by the applicable provisions of K.S.A. 8-1545, and amendments thereto.

(2) Unless a sign is in place prohibiting a turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn after stopping as required by paragraph (1) of this subsection. After stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(3) Unless a sign is in place prohibiting a turn, vehicular traffic upon a roadway restricted to one-way traffic facing a steady red signal at the intersection of such roadway with another roadway restricted to one-way traffic which is proceeding to the left of such vehicular traffic, may cautiously enter the intersection to make a left turn after stopping as required by paragraph (1) of this subsection. After stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(4) The driver of a motorcycle or a person riding a bicycle facing any steady red signal, which fails to change to a green light within a reasonable period of time because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle or bicycle because of its size or weight, shall have the right to proceed subject to the rules applicable after making a stop at a stop sign under K.S.A. 8-1528, and amendments thereto.

~~(4)~~ (5) Unless otherwise directed by a pedestrian-control signal as provided in K.S.A. 8-1509, and amendments thereto, pedestrians facing a steady circular red or red

arrow signal alone shall not enter the roadway.

(d) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.";

And by renumbering sections accordingly;

On page 2, in line 34, after "K.S.A." where it appears for the first time, by inserting "8-1508 and";

On page 1, in the title, in line 1, by striking "concerning motor vehicles; relating to" and inserting "regulating traffic; concerning"; also in line 1, by striking "uniform act"; in line 2, by striking "regulating traffic on highways" and inserting "traffic controlled lights"; also in line 2, after "K.S.A." where it appears for the first time, by inserting "8-1508 and"; 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. 27, by Representative Osterman, congratulating Sidney Reeser on receiving the Girl Scout Gold Award;

Request No. 28, by Representative Osterman, congratulating Nicole Goetz on receiving the Girl Scout Gold Award;

Request No. 29, by Representative Meigs, commending Tyler L. Bienhoff on achieving the rank of Eagle Scout;

Request No. 30, by Representative Meigs, commending Jared T. Shafer on achieving the rank of Eagle Scout;

Request No. 31, by Representative Billinger, congratulating Maracella Dreiling on her 100th birthday;

Request No. 32, by Representative Billinger, congratulating Vickey Kraft on her 96th birthday;

Request No. 33, by the House Chamber, recognizing Jordy Nelson, from Leonardville, Kansas, for playing in the Super Bowl XLV 2011 and being the Green Bay Packer's No. 1 Receiver;

Request No. 34, by Representative Hildabrand, congratulating Bertha I. Swanson in honor of her 100th birthday;

Request No. 35, by Representative Pottorff, congratulating Darrel and Sylvia Steinshouer for operating the Ken-Mar Family Drugs for 40 years;

Request No. 36, by Representative Peck, congratulating Herb and Donna Rogers on their 70th wedding anniversary;

Request No. 37, by Representative Vickrey, congratulating Brooke Ritter for winning the 2011 Postcard Art Contest, Kansas Foundation for Agriculture in the Classroom;

Request No. 38, by Representative Suellentrop, congratulating Legacy Bank for achieving the milestone of 125 years of service to your customers and the community;

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. Siegfroid, the committee report was adopted.

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 thereupon introduced and read by title:

HB 2360, AN ACT concerning school districts; enacting the Kansas uniform financial accounting and reporting act; amending K.S.A. 2010 Supp. 72-8254 and repealing the existing section, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2029, HB 2060 reported correctly engrossed February 17, 2011.

On motion of Rep. Siegfroid the House to adjourned until 11:00 a.m., Monday, February 21, 2011.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

