

Journal of the House

FORTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 12, 2015, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Goico, Kelley and Todd were excused on excused absence by the Speaker.

Present later: Rep. Kelley.

Prayer by Chaplain Brubaker:

Heavenly Father,
This is the day You have created,
help us to rejoice and be glad in it.
God, several people have told me I really
need to pray hard today –
so I pray You are listening hard as well.
Your Word tells us that you number our hairs
and determine our days;
You hang the stars and feed the sparrows;
You open doors no one can shut.
Surely, we can trust you as the time has come
for making big and difficult decisions.
Help us to trust You for generous wisdom,
straight paths and peaceful hearts.
We will plan, but we trust You to order our steps.
We will seek counsel, but count on You to
overrule misguided or incomplete input.
Free us from the paralysis of analysis—
wanting to make the right decision
more than we want to be righteous people.
All this I pray in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Hemsley.

INTRODUCTION OF GUESTS

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

Six schools in Kansas are among 337 schools nationwide named as 2014 National Blue Ribbon Schools. This award, one of the most prestigious education awards in the country, distinguishes and honors both public and private elementary, middle and high schools for helping students achieve at high levels and for showing significant improvement in levels of achievement.

“The Blue Ribbon program recognizes schools in one of two performance categories: Exemplary High Performing and Exemplary Achievement Gap Closing.” Four schools were recognized as Exemplary High Performing Schools: Oatville Elementary School USD 261 in Haysville, St. Patrick Catholic School in Wichita, Valley Falls Elementary School USD 338 in Valley Falls and West Bourbon Elementary School USD 235 in Uniontown. Two schools were recognized for Exemplary Achievement Gap Closing: Ogden Elementary School USD 383 from Manhattan-Ogden and Marais Des Cygnes Valley Elementary USD 456 in Marais Des Cygnes Valley.

Today we have with us Jim Armendariz, Principal of the Ogden Elementary Panthers and teachers Eric Farwell and Megan Morgan. Every day Ogden parents send their best children to his school. Ogden Elementary School may be the most unique school in the state. Nearly half of the students have parents serving in the military at Fort Riley, and three out of four students are eligible for free or reduced-priced meals. Turnover of students may reach as high as nearly 60 percent per year.

When Mr. Armaendariz came to Ogden Elementary School in 2002, students were at a 69% proficiency level in Math and Reading. Last year Ogden elementary students achieved 96% proficiency in Math and 97% in Reading.

Ogden Elementary delivers the best education with dynamic educators, committed students and community stakeholders. Its professional teams strive to stay abreast of cutting-edge educational research to support relationship-driven results of student growth and achievement. As a hub to the entire community of mostly Ft. Riley military personnel, family and community engagement strategies deliver a team approach as a true learning community. The school focus is positive human relationships among and between all stakeholders and students. All teachers prepare students, not for the next grade, but for long-term life skills. Thus, Ogden’s mission to balance academic, character, personal, and social skills ensures future success for each learner with relationships, rigor, relevance, results, and a responsive culture. Positive relationships are built through engaging instruction, presented through the integration of technology. Students become self-guided learners eager to share their learning and expertise with the world. Teachers collaborate to improve high-level thinking skills, embedded and sharpened through student created, STEM-integrated, project-based learning presentations and content skills like computer coding. After-school and summer camp activities enhance classroom instruction. Ogden’s partners, including churches, businesses, food banks, universities, and a host of volunteers, come together with school staff to form a highly-effective team, focused on student success.

Please help me congratulate Mr. Armendariz, Ogden Elementary School students, teachers, parents, and community partners on a job well done.

Rep. Swanson presented Mr. Armendariz with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2409, AN ACT repealing K.S.A. 2014 Supp. 79-201x; eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised valuation, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2407**.

Taxation: **HB 2405**, **HB 2406**, **HB 2408**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2233** from Committee on Appropriations and rereferral to Committee on Energy and Environment.

MESSAGES FROM THE SENATE

Announcing passage of **SB 59**, **SB 105**, **Sub SB 131**, **Sub SB 216**, **SB 252**.

Announcing passage of **HB 2053**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 59, **SB 105**, **SB 131**, **SB 216**, **SB 252**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Finney, **HR 6017**, by Rep. Finney, as follows, was introduced and adopted:

HR 6017— A RESOLUTION designating March 12, 2015, as Kidney Awareness Day.

WHEREAS, The state of Kansas recognizes that healthy citizens are essential for strong communities to thrive; and

WHEREAS, High blood pressure and diabetes are the main causes of chronic kidney disease, which is a major public health problem, with increasing prevalence, poor outcomes, long waits for kidney transplants and high costs; and

WHEREAS, One in nine Americans has chronic kidney disease and over 2,722 Kansans receive life-sustaining dialysis treatment; and

WHEREAS, Controlling high blood pressure and diabetes can delay or prevent chronic kidney disease; and

WHEREAS, As the costs of health care continue to grow, early and accurate identification of kidney disease is a critical component of efforts to reduce the negative clinical and economic impact on individuals and on the state of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate March 12, 2015, as Kidney Awareness Day. We, along with the National Kidney Foundation and the Kidney Coalition, encourage Kansans to monitor and treat

high blood pressure and diabetes to the best of their abilities.

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

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

March is National Kidney Month. Today I have standing with me Erin Kohake and Jim Anderson from the National Kidney Foundation to recognize today as Kidney Awareness Day with this House Resolution 6017. Although I have no gifts of candies to provide to you today, we will be providing to each of your offices an information and tips packet and an opportunity to get your blood pressure checked for free today until 3:30 pm on the second floor rotunda. In addition, we would like to briefly provide you with a few tips to reduce your kidney disease risk by: Controlling blood pressure and blood sugar; Maintaining proper weight; Quitting smoking; Exercising regularly; and Avoiding excessive use of pain medicine.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Bridges, **HR 6018**, by Rep. Bridges, as follows, was introduced and adopted:

HR 6018— A RESOLUTION commemorating the 90th Anniversary of the Junior League of Wichita.

WHEREAS, The Junior League of Wichita is an organization of women committed to promoting volunteerism, developing the potential of women and improving communities; and

WHEREAS, The Junior League of Wichita was founded on January 15, 1925, and has devotedly served Wichita continuously for the past 90 years; and

WHEREAS, The Junior League of Wichita reaches out to women of all races, religions and national origins who demonstrate an interest in and a commitment to volunteerism; and

WHEREAS, The Junior League of Wichita has always focused on the current needs of its community and today focuses on combating child abuse through awareness, prevention and intervention; and

WHEREAS, The nearly 800 members of the Junior League of Wichita give generously of their time and talents to volunteer in many areas of this community: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend and celebrate the 90th Anniversary of the Junior League of Wichita. We hope that all Kansans will celebrate and be inspired by its many accomplishments and hopeful determination so that its successes can be replicated where possible throughout the State of Kansas; and

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

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

This morning it is my pleasure to recognize the Junior League of Wichita on its 90th anniversary.

Junior League of Wichita began in 1925 with 31 members and today has over 800 new, active and sustaining members. The League has stayed contemporary, evolving from a select group of young matrons to an inclusive group of women who want to improve their leadership skills while providing countless volunteer hours to the community.

Among Junior League's contributions to Wichita are: a marionette show, started in 1937 which became the Wichita Children's Theatre, established two Ronald McDonald houses in Wichita, with Wichita continuing to be one of a handful of cities with two houses, started the Wichita Susan G. Komen Race for the Cancer Cure in Wichita, and in honor of the League's 75th anniversary donated \$1.5 million to the Sedgwick County Zoo to build the "Pride of the Plains" exhibit which houses lions, meerkats and warthogs.

In 2011, the League voted to become issue-focused and chose Child Abuse Prevention as its goal. The League presents a puppet show in area schools to third and fourth graders to teach them about physical and sexual abuse. To date, over 3400 students have seen this entertaining and informative puppet show.

Junior League of Wichita finances these projects through a four day shopping extravaganza held in October each year. Since its inception 12 years ago, the League has raised over \$1 million dollars from Holiday Galleria.

I would like to introduce three members who stand here today. Incoming President Martha Linsner, President-elect Patty Armstrong and my favorite Junior League member, my daughter Julie Buth.

With that, Mr. Speaker, I congratulate Junior League of Wichita on 90 years of community service and move my resolution.

CONSENT CALENDAR

No objection was made to **SB 13** appearing on the Consent Calendar for the first day.

No objection was made to **SB 46** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2135, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D.

Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed.

HB 2197, AN ACT concerning municipalities; relating to land banks; amending K.S.A. 2014 Supp. 12-5909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Whitmer.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed, as amended.

HB 2246, AN ACT concerning municipalities; dealing with payment of claims; amending K.S.A. 2014 Supp. 12-105a and 12-105b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Anthimides, Ballard, Barker, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lunn, Lusk, Lusker,

Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman Sr., Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Goico, Kelley, Todd.

The bill passed.

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 on motion of Rep. Vickrey, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing the following members to speak more than once: Reps. KleeB, Ryckman, Jr., Schwartz, Henry and Trimmer.

Committee report recommending a substitute bill to **H Sub for SB 7** be adopted; also, on motion of Rep. Grosserode be amended on page 51, in line 33, by striking all after "(A)"; in line 34, by striking "(1)(B)" and inserting "through (d)(1)(C)";

On page 52, in line 4, by striking all after "(A)"; in line 5, by striking "(2)(B)" and inserting "through (d)(2)(C)";

On page 79, in line 1, after "may" by inserting "be"; in line 36, after "may" by inserting "be";

Rep. Henry requested a ruling to determine if **H Sub for SB 7** is a policy bill or an appropriations bill. The Rules Chair ruled the bill is a policy bill and the "pay-go" rule does not apply.

Also, on motion of Rep. Ryckman, Jr., **H Sub for SB 7** be amended on page 55, following line 28, by inserting:

"(g) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining supplemental general state aid shall be based on such school district's total assessed valuation for school year 2015-2016.";

On page 78, in line 1, by striking "\$2,002,500" and inserting "\$2,202,500"; following line 17, by inserting:

"(f) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such

reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining capital outlay state aid shall be based on such school district's total assessed valuation for school year 2015-2016.";

Roll call was demanded on motion of Rep. Kuether to amend **H Sub for SB 7 on page 99, following line 25 by inserting:**

"Sec. 80. K.S.A. 75-3722 is hereby amended to read as follows: 75-3722. (a) An allotment system will be applicable to the expenditure of the resources of any state agency, under rules and regulations established as provided in K.S.A. 75-3706, and amendments thereto, only if in the opinion of the secretary of administration on the advice of the director of the budget, the use of an allotment plan is necessary or beneficial to the state. In making this determination the secretary of administration shall take into consideration all pertinent factors including: (1) Available resources; (2) current spending rates; (3) work loads; (4) new activities, especially any proposed activities not covered in the agency's request to the governor and the legislature for appropriations; (5) the minimum current needs of each agency; (6) requests for deficiency appropriations in prior fiscal years; (7) unexpended and unencumbered balances; and (8) revenue collection rates and prospects.

(b) Whenever for any fiscal year it appears that the resources of the general fund or any special revenue fund are likely to be insufficient to cover the appropriations made against such general fund or special revenue fund, the secretary of administration, on the advice of the director of the budget, shall, in such manner as ~~he or she~~ the secretary may determine, inaugurate the allotment system so as to assure that expenditures for any particular fiscal year will not exceed the available resources of the general fund or any special revenue fund for that fiscal year. The allotment system shall not apply to the: (1) Legislature or to the courts or their officers and employees; or (2) any item of appropriation which provides funding for any state agency or school district educating students in kindergarten or any of the grades one through 12. Agencies affected by decisions of the secretary of administration under this section shall be notified in writing at least ~~thirty (30)~~ 30 days before such decisions may become effective and any affected agency may, by written request addressed to the governor within ~~ten (10)~~ 10 days after such notice, ask for a review of the decision by the finance council. The finance council shall hear appeals and render a decision within ~~twenty (20)~~ 20 days after the governor receives requests for such hearings.";

Also on page 99, in line 26, before "K.S.A." by inserting "K.S.A. 75-3722 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, following the first comma by inserting "75-3722,"

On roll call, the vote was: Yeas 33; Nays 89; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clayton, Curtis, Doll, Finney, Frownfelter, Gallagher, Henderson, Henry, Highberger, Houston, Kuether, Lane, Lusk, Lusker, Ousley, Rooker, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Becker, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Dierks, Dove, Edmonds, Esau, Estes, Ewy,

Finch, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Kuether did not prevail.

Roll call was demanded on motion of Rep. Henry to amend **H Sub for SB 7** on page 1, following line 29, by inserting:

"Section 1. (a) For the fiscal year ending June 30, 2015, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

(c) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.";

Also on page 1, by striking all in line 36;

By striking all on pages 2 through 99;

On page 100, by striking all in lines 1 through 5; following line 5, by inserting:

"Sec. 3. *Severability*. If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; in line 2, by striking "thereof,"; in line 3, by striking all after "2015,"; by striking lines 4 through 26; in line 27, by striking all before the period and inserting "for the department of education"

On roll call, the vote was: Yeas 45; Nays 77; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Ballard, Becker, Bollier, Bridges, Burroughs, Campbell, Carlin, Carmichael, Clayton, Curtis, Dierks, Edmonds, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Kuether, Lane, Lusk, Lusker, Mason, Moxley, Ousley, Phillips, Rooker, Ruiz, Sawyer, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, B. Carpenter, W. Carpenter, Claeys, Clark, Concannon, Corbet, Davis, DeGraaf, Doll, Dove, Esau, Estes, Ewy, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Jennings, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Lunn, Macheers, Mast, McPherson, Merrick, O'Brien, Osterman, Patton, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch,

Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Henry did not prevail.

Roll call was demanded on motion of Rep. Whipple to refer **H Sub for SB 7** to Committee on Education.

On roll call, the vote was: Yeas 41; Nays 81; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Ballard, Becker, Bridges, Burroughs, Carlin, Carmichael, Clark, Curtis, Dierks, Doll, Finch, Finney, Frownfelter, Gallagher, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Rooker, Ruiz, Sawyer, Tietze, Trimmer, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Anthimides, Barker, Barton, Billinger, Boldra, Bollier, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Clayton, Concannon, Corbet, Davis, DeGraaf, Dove, Edmonds, Esau, Estes, Ewy, Francis, Garber, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, Johnson, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleebl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Vickrey, Waymaster, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion of Rep. Whipple did not prevail.

On motion to recommend **H Sub for SB 7** favorably for passage, roll call was demanded.

On roll call, the vote was: Yeas 64; Nays 58; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anthimides, Barker, Barton, Bradford, Bruchman, Brunk, Couture-Lovelady, Campbell, B. Carpenter, W. Carpenter, Claeys, Concannon, Corbet, Davis, DeGraaf, Dove, Esau, Estes, Garber, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Houser, Huebert, Hutchins, Hutton, D. Jones, K. Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleebl, Lunn, Macheers, Mason, Mast, McPherson, Merrick, O'Brien, Osterman, Pauls, Peck, Powell, Proehl, Read, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, Seiwert, Smith, Suellentrop, Sutton, Thimesch, Vickrey, Whitmer, Williams.

Nays: Alcala, Alford, Ballard, Becker, Billinger, Boldra, Bollier, Bridges, Burroughs, Carlin, Carmichael, Clark, Clayton, Curtis, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Gonzalez, Hemsley, Henderson, Henry, Hibbard, Highberger, Hill, Hineman, Houston, Jennings, Johnson, Kuether, Lane, Lusk, Lusker, Moxley, Ousley, Patton, Phillips, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Swanson, Thompson, Tietze, Trimmer, Victors, Ward, Waymaster, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Goico, Todd.

The motion to recommend **H Sub for SB 7** favorably for passage prevailed and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 189** be amended on page 8, following line 9, by inserting:

"Sec. 8. K.S.A. 2014 Supp. 76-4,112 is hereby amended to read as follows: 76-4,112. (a) There is hereby established the veterinary training program for rural Kansas at the college of veterinary medicine at Kansas state university which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons pursuing a veterinary medicine degree program at Kansas state university to locate their veterinary practice in rural Kansas communities and receive specialized training targeted to meet the needs of livestock producers and rural Kansas communities. The program shall be administered by the college of veterinary medicine at Kansas state university.

(b) Subject to the provisions of appropriation acts, in accordance with the provisions of this section, the college may enter into program agreements with up to five first-year veterinary students per year who have entered into a program agreement. Preference shall be given to those students who are Kansas residents and who agree to serve in a county as described in subsection (d)(3) which is determined to be an underserved area for the practice of veterinary medicine as determined by the college.

(c) Subject to the provisions of appropriation acts, each student entering into a program agreement under this section shall receive a loan in the amount of \$20,000 per year for not more than four years for tuition, books, supplies and other school expenses, and travel and training expenses incurred by the student in pursuing a veterinary medicine degree. Upon satisfaction of all commitments under the provisions of the agreement and the provisions of this section, the loans provided pursuant to this section shall be deemed satisfied and forgiven.

(d) Each program agreement shall require that the person receiving the loan:

(1) Complete the veterinary medicine degree program at the college;

(2) complete all advanced training in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease, and an externship and mentoring requirement with a licensed, accredited veterinarian in rural Kansas as required by the college;

(3) engage in the full-time practice of veterinary medicine in any county in Kansas which has a population not exceeding 35,000 at the time the person entered into the program agreement for a period of at least 12 continuous months for each separate year a student receives a loan under the program, unless such obligation is otherwise satisfied as provided in this section. A program agreement whereby the person pursuant to such agreement is engaging in the full-time practice of veterinary medicine in a county that no longer meets the maximum population requirements provided in this subsection after the date that such program agreement was entered into by the college and the person shall continue in full force and effect subject to the other requirements contained in this section;

(4) commence such full-time practice of veterinary medicine within 90 days after completion of such person's degree program, or if such person enters a post-degree training program such as a graduate school or internship or residency program, within

90 days after completion of such post-degree training program; and

(5) upon failure to satisfy the obligation to engage in the full-time practice of veterinary medicine in accordance with the provisions of this section, repay to the college, within 90 days of such failure, the amount equal to the amount loaned to such person less a prorated amount based on any such periods of practice of veterinary medicine meeting the requirements of this section, plus interest at the prime rate of interest plus 2% from the date such loan accrued. Such interest shall be compounded annually.

(e) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice veterinary medicine due to such disability; and (2) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice agreement.

(f) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of the agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of veterinary medicine in accordance with the agreement has been completed; (2) if, because of permanent disability, the person obligated is unable to practice veterinary medicine; or (3) the person obligated dies.

(g) The college may adopt additional provisions, requirements or conditions to participate in this program as are practicable and appropriate to accomplish the provisions of the program or may be required for the implementation or administration of the program, and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

(h) As used in this section: (1) "College" means the college of veterinary medicine at Kansas state university; (2) "program" means the veterinary training program for rural Kansas established pursuant to this section; and (3) "program agreement" means an agreement to meet all the obligations provided in this section by a person who is a first-year veterinary student at the college, and provides benefits to such person as provided in this section.

~~(i) The college shall not enter into any program agreements pursuant to the provisions of this section after July 1, 2016. All program agreements entered into prior to such date shall continue in full force and effect subject to the requirements of this section."~~

Also on page 8, in line 11, by striking "and" and inserting a comma; also in line 11, after "47-830" by inserting "and 76-4,112";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "and" and inserting a comma; also in line 4, after "47-830" by inserting "and 76-4,112" and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2381** be amended on page 7, in line 41, by striking the second quotation mark; also in line 41, after "assistance" by inserting a quotation mark;

On page 8, in line 35, after "in" by inserting "any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or"; in line 37, after "assistance" by inserting "except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion";

On page 9, in line 12, after "The" by inserting "family group shall not be eligible for TANF if the"; in line 14, by striking "48" and inserting "36"; in line 16, by striking "60-month" and inserting "48-month"; in line 17, by striking "60" and inserting "48"; in line 27, by striking "48th" and inserting "36th";

On page 10, in line 7, by striking "and" and inserting "or";

On page 12, in line 29, after "offense" by inserting "occurring on or after July 1, 2015,"; in line 31, after the period by inserting "Notwithstanding the provisions of this paragraph, an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.";

Also on page 12, in line 32, by striking all after "purchase"; in line 33, by striking "as"; also in line 33, after "tickets" by inserting ", concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public"; in line 35, after the third comma by inserting "jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or"; in line 39, after the period by inserting "TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to \$60 per transaction and to one transaction per day. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas."; following line 39, by inserting:

"(15) (A) The secretary for children and families shall place a photograph of the recipient of public assistance on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.";

And redesignating paragraphs accordingly;

On page 14, following line 30, by inserting:

"(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash,

in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2014(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law."; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2395** be amended on page 2, by striking all in lines 10 through 43;

On page 3, by striking all in lines 1 through 36; in line 37, by striking "and 75-37,143 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and 75-37,143"; also in line 3, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for SB 38** be amended on page 1, in line 35, by striking "fails to conduct a reasonable analysis"; by striking all in line 36;

On page 2, by striking all in line 1; in line 2, by striking all before "specific" and inserting ":

(A) Fails to compare the scope of the patent to the intended recipient or affiliated person's products, services or technology, to the extent commercially reasonable and identifiable from public information; or

(B) performs such comparison, but fails to identify in the communication the"; Also on page 2, in line 4, by striking "included"; in line 6, after "person;" by inserting "or"; in line 12, by striking "; or"; by striking all in lines 13 through 15; in line 16, by striking all before the period; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 51**, as amended by Senate Committee, be amended on page 1, in line 9, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 3, in line 40, before "K.S.A." by inserting "in";

On page 4, in line 12, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 14, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 7, in line 3, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 6, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 25, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 31, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 11, in line 4, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 15, in line 14, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 32, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 17, in line 34, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 18, in line 11, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 14, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 19, in line 12, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 15, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 20, in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 40, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 21, in line 5, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 22, in line 2, before "K.S.A." by inserting "On and after July 1, 2015,"; in

line 4, before "the" by inserting "on and after July 1, 2015, through June 30, 2017,"; in line 32, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 23, in line 7, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 9, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 24, in line 34, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 37, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 25, in line 2, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 39, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 27, in line 8, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 29, in line 11, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 19, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 30, in line 9, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 38, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 31, in line 15, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 32, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 38, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 32, in line 4, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,";

On page 33, in line 21, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 34, in line 6, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 32, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 35, in line 9, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 11, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 26, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; in line 33, before "K.S.A." by inserting "On and after July 1, 2015,"; in line 40, before "The" by inserting "On and after July 1, 2015, through June 30, 2017,"; following line 42, by inserting:

"Sec. 23. K.S.A. 2014 Supp. 20-1a16 is hereby amended to read as follows: 20-1a16. There is hereby created in the state treasury the electronic filing and management fund. All expenditures from the electronic filing and management fund shall be for purposes of creating, implementing and managing an electronic filing and centralized case management system for the state court system and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the supreme court or by a person designated by the chief justice. On and after the effective date of this act, during the fiscal year ending June 30, 2015, the chief justice of the supreme court may transfer any amount of the electronic filing and management fund to the judicial branch docket fee fund. The chief justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 24. K.S.A. 2014 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and

60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to ~~subsection (e) of~~ K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance which remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund. During the fiscal years ending June 30, 2015, June 30, 2016, ~~and~~ June 30, 2017, and June 30, 2018, of the remainder, the state treasurer shall deposit and credit the first \$3,100,000 to the electronic filing and management fund created in K.S.A. 2014 Supp. 20-1a16, and amendments thereto. During the fiscal year ending June 30, ~~2018~~ 2019, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,000,000 to the electronic filing and management fund. Of the balance which remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the judicial branch docket fee fund.

Sec. 25. K.S.A. 2014 Supp. 20-1a16 and 20-362 are hereby repealed.";

Also on page 35, in line 43, before "K.S.A." by inserting "On and after July 1, 2015,";

On page 36, in line 5, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "fund;" by inserting "docket fees; electronic filing and management fund; judicial branch docket fee fund;"; also in line 2, after "8-2110," by inserting "20-1a16, 20-362,"; and the bill be passed as amended.

Committee on **Utilities and Telecommunications** recommends **SB 109** be amended on page 3, in line 43, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2410, AN ACT concerning STAR bonds; relating to economic impact studies; base year assessed valuation for additions of area to project districts; financing an excess of approved amounts; amending K.S.A. 2014 Supp. 12-17,162, 12-17,164, 12-17,166, 12-17,168 and 12-17,171 and repealing the existing sections, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2197 reported correctly engrossed March 11, 2015.

On motion of Rep. Vickrey, the House adjourned until 8:00 a.m., Friday, March 13, 2015.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

