

# Journal of the House

TWENTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 17, 2012, 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. Slattery and Ward were excused on verified illness.

Reps. Bollier, Brunk, McLeland, Swanson and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord,  
 We give thanks that it is Friday,  
 and in a few hours we will be on our way.  
 Please grant us a good weekend,  
 as we spend time with family and friends.  
 We ask for protection for those who travel,  
 and help us all, our stress to unravel.  
 However, we recognize that before we leave,  
 there are still actions and decisions to achieve.  
 So give us direction, insight and clarity.  
 for solutions of which we can all agree,  
 and for this poor poetry to end.  
 I pray in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Proehl.

Kansas Trivia – During the state's centennial in 1961, many men celebrated by growing what?

Answer : Beards

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2757**, AN ACT concerning roads and bridges; relating to memorial bridges; designating bridge no. 060 on United States highway 77 in Marshall county as the SP4 Michael T. Martin memorial bridge; designating bridge no. 054 on United States highway 36 in Marshall county as the SGT Joseph A. Zutterman Jr. memorial bridge, by Committee on Taxation.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **HB 2755**.

Commerce and Economic Development: **HB 2754**.

Taxation: **HB 2753, HB 2756**.

**CHANGE OF REFERENCE**

Speaker O'Neal announced the withdrawal of **HB 2735** from Committee on Taxation and referral to Committee on Transportation.

**MESSAGE FROM THE SENATE**

Announcing passage of **SB 306; Sub SB 307; SB 320, SB 335, SB 341, SB 369, SB 386, SB 395, SB 403, SB 404**.

Announcing passage of **HB 2428, HB 2451, HB 2490**.

Announcing adoption of **HCR 5017**.

The Senate concurs in House amendments to **H Sub for SB 191**, and requests return of the bill.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**SB 306; Sub SB 307; SB 320, SB 335, SB 341, SB 369, SB 386, SB 395, SB 403, SB 404**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 211**.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

**CONSENT CALENDAR**

No objection was made to **HB 2708** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2484, HB 2600** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2324**, AN ACT concerning cigarettes and tobacco products; relating to electronic cigarettes; amending K.S.A. 2011 Supp. 79-3321 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney,

Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Gordon, Landwehr, Lane, LeDoux, Schwab.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

**HB 2413**, AN ACT concerning criminal procedure; relating to aid to indigent defendants; disclosure of tax information by department of revenue; amending K.S.A. 2011 Supp. 79-3234 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3234b, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 4; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Flaharty, Henderson, Lane, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

**HB 2469**, AN ACT concerning crimes, criminal procedure and punishment; relating to payment of board of indigents' services fees; relating to parole revocation proceedings; amending K.S.A. 22-4529 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 13; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney,

Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Vickrey, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Flaharty, S. Gatewood, Henderson, Kuether, Lane, LeDoux, Mah, Peterson, Ruiz, Tyson, Victors, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

**Sub HB 2470**, AN ACT concerning scrap metal dealers; relating to unlawful acts; fees; amending K.S.A. 2011 Supp. 50-6,111 and 50-6,112a and repealing the existing sections, 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, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, 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, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The substitute bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER: **Sub HB 2470** started out good, and then it got better. The actions of the Judiciary Committee to remove the RE-registration fee required of scrap metal dealers are a welcome change. Now, a dealer will only have to pay a renewal fee after their ten year registration period ends. **Sub HB 2470** actually reduces the cost of doing business for some Kansas businesses. Glory be! It's a good start. I vote AYE.-- TRENT LEDOUX

**HB 2496**, AN ACT concerning law enforcement; relating to law enforcement officers and juvenile justice authority employees; amending K.S.A. 2011 Supp. 38-2386 and 74-

5602 and repealing the existing sections, 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, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, 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, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

**HB 2499**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the masonic lodge license plate, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 8; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Garber, Gregory, Hedke, Hildabrand, Kinzer, Ryckman, Tyson.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed.

**HB 2537**, AN ACT concerning the revised Kansas code for care of children; relating to legislative access; amending K.S.A. 2011 Supp. 38-2212 and 38-2213 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 44; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Bruchman, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, Mast, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Vickrey, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Brown, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Grosserode, Henderson, Henry, Hildabrand, Kelley, Kinzer, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, Pauls, Peterson, Phelps, Pottorff, Ruiz, Schroeder, Schwab, Shultz, Tietze, Trimmer, Tyson, Victors, Wetta, Williams, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed.

**HCR 5031**, A concurrent resolution urging the United States Department of Defense to reevaluate the types of treatment facilities where the TRICARE military health care program provides coverage of substance abuse treatment and to seriously consider allowing coverage in less restrictive outpatient environments, 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, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, 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, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The resolution was adopted.

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

#### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2685** be passed.

Committee report recommending a substitute bill to **H Sub for SB 118** be adopted; also, on motion of Rep. Peck, be amended on page 1, in line 7, by striking "\$3" and inserting "\$5"; in line 9, by striking "\$3" and inserting "\$5"; and the substitute bill be passed as amended.

Committee report to **HB 2531** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail, and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2455** be adopted; and the substitute bill be passed.

Committee report to **HB 2593** be adopted; and the bill be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **H Sub for SB 118** was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**H Sub for SB 118**, AN ACT concerning the legislature; relating to legislative pages; amending K.S.A. 46-158 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 2; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Arpke, Ballard, Billinger, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bethell, Boman.

Present but not voting: None.

Absent or not voting: Aurand, Bollier, Brunk, Crum, Donohoe, Grant, Hayzlett, Huebert, McLeland, Peterson, Slattery, Swanson, Ward, Weber.

The substitute bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2551, SB 289** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2295** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2295," as follows:

"Substitute for HOUSE BILL NO. 2295

By Committee on Agriculture and Natural Resources

"AN ACT concerning wildlife, parks and tourism; relating to crossbows; relating to deer hunting; amending K.S.A. 2011 Supp. 32-937 and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2295** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **HB 2563** be amended on page 1, in line 7, by striking "state" and inserting "Kansas"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2627** be amended on page 1, in line 6, by striking "subsection (b)" and inserting "subsections (b) and (c)"; in line 19, after "(b)" by inserting "Pursuant to a signed written agreement between the employer and employee,."; in line 24, after the semicolon by inserting "and"; in line 25, by striking "value" and inserting "cost or unpaid balance of the cost"; in line 26, by striking "and"; by striking all in lines 27 through 30; in line 31, after "(c)" by inserting:

"Upon providing a written notice and explanation, an employer may withhold, deduct or divert any portion of an employee's final wages for the following purposes:

(1) To recover the employer's property provided to the employee in the course of the employer's business including, but not limited to, tools of the trade or profession, personal safety equipment, computers, electronic devices, mobile phones, proprietary information such as client or customer lists and intellectual property, security information, keys or access cards or materials until such time as such property is returned by the employee to the employer;

(2) to allow an employee to repay a loan or advance which the employer made to the employee during the course of and within the scope of employment;

(3) to allow for the recovery of payroll overpayment; and

(4) to compensate the employer for the value of the employer's merchandise, uniforms, company property, equipment, tools of the trade, or other materials intentionally purchased from the employer by the employee.

(d)"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2224** be amended on page 1, in line 30, by striking "to the secretary of state"; by striking all in lines 31 and 32 and inserting "by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto.

(f) All documents submitted as evidence of United States citizenship under this section shall be kept confidential pursuant to K.S.A. 25-2309(r), and amendments thereto.";

On page 2, in line 1, by striking "Within 10 days after the submittal of the names of the"; by striking all in lines 2 through 8 and inserting "Within 10 days after the submittal of the names of the candidates, the national political party committee shall submit proof that such candidates are natural born citizens of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election



board pursuant to K.S.A. 25-2309(m), and amendments thereto.

If the national political party does not submit the United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place those candidates' names on the ballot in this state.

(b) Any person filing an independent nomination petition for the office of the president of the United States pursuant to K.S.A. 25-305, and amendments thereto, shall provide proof that such candidate is a natural born citizen of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto, within 10 days after certification of such candidate's nomination petition. If such candidate does not submit United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place such candidate's name on the ballot in this state.

(c) Any person seeking write-in candidacy for the office of president of the United States pursuant to K.S.A. 25-305, and amendments thereto, shall provide proof that such person is a natural born citizen of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto, no later than 12 noon on the 2<sup>nd</sup> Monday preceding the general election for such office. If such person does not submit United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place such person on the ballot in this state as a write-in candidate.

(d) All documents submitted as evidence of United States citizenship under this section shall be kept confidential pursuant to K.S.A. 25-2309(r), and amendments thereto."; and the bill be passed as amended.

Committee on **Government Efficiency** recommends **HB 2649, HB 2668, HB 2670, HB 2672, HB 2676, HB 2677, HB 2687, HB 2703, HB 2706** be passed.

Committee on **Health and Human Services** recommends **HB 2659** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2659," as follows:

"Substitute for HOUSE BILL NO. 2659

By Committee on Health and Human Services

"AN ACT relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502 and 65-6503 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2659** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2621** be passed.

Committee on **Judiciary** recommends **HB 2562** be amended on page 1, in line 7, by striking "gratuitously" and inserting "without compensation"; also in line 7, after "assistance" by inserting "to a person, including a minor without first obtaining the

consent of the parent or guardian of such minor,"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2555** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2555," as follows:

"Substitute for HOUSE BILL NO. 2555

By Committee on Local Government

"AN ACT concerning certain municipalities; relating the conversion of recreation commissions."; and the substitute bill be passed.

(**Sub HB 2555** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2509**, **HB 2614** be passed.

Committee on **Transportation** recommends **HB 2417** be amended on page 1, in line 21, by striking "180 days after" and inserting "on"; in line 27, by striking "180 days after" and inserting "on";

On page 2, in line 37, by striking "45" and inserting "15"; in line 39, by striking "45" and inserting "15"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2557** be amended on page 8, in line 20, by striking "2104" and inserting "2014"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2599** be amended on page 2, in line 26, by striking all after the comma; by striking all in lines 27 through 30; in line 31, by striking all before the period and inserting "the owner may display a decal of the type described in K.S.A. 8-132, and amendments thereto, for the year of the vehicle so long as such decal is legible. Otherwise, on and after January 1, 2013, the owner may obtain a replacement decal from the county treasurer which displays the year of the vehicle"; 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. 46**, by Representative Meigs, congratulating Shawnee Mission Northwest Symphonic band for being one of eight bands in the state of Kansas selected to perform at the Kansas Music Educators Association;

**Request No. 47**, by Representative Meigs, congratulating Maranatha Academy Band for being one of eight bands in the state of Kansas selected to perform at the Kansas Music Educators Association;

**Request No. 48**, by Representatives Kelly and McCray-Miller, commending Henry Williams on receiving the prestigious 2011 Sargent Shriver Achievement Award and for dedication to the youth of Southeast Kansas;

**Request No. 49**, by Representative Gordon, commending Molly Rockefeller for receiving The Prudential Spirit of Community Award;

**Request No. 50**, by Representatives Henderson and Winn, congratulating Juanita Barnett in celebration of her 90<sup>th</sup> birthday on February 25, 2012;

**Request No. 51**, by Representative Pottorff, congratulating Hillside Christian Church of Wichita on their 90<sup>th</sup> Anniversary;

**Request No. 52**, by Representative Kinzer, congratulating Olathe South Falcons 2011 football team on winning the 2011 6A State Championship;

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.

#### **REPORT ON ENGROSSED BILLS**

**HB 2324, HB 2413, HB 2469, HB 2496** reported correctly engrossed February 17, 2012.

#### **READING AND CORRECTION OF THE JOURNAL**

In the journal on page 1861, under the heading, Reports of Standing Committees, the bills under General Government Budget Committee and Committee on Government Efficiency should read as follows:

General Government Budget Committee recommends **HB 2414** be passed.

Committee on Government Efficiency recommends **HB 2669, HB 2682, HB 2683, HB 2684, HB 2704** be passed.

On motion of Rep. Siegfroid, the House adjourned until 11:00 a.m., Monday, February 20, 2012.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

