

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 5, 2001, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Aurand in the chair. The roll was called with 125 members present.

Prayer by guest chaplain, the Rev. Ryan Derr, pastor, LaFontaine Christian Church, of Joplin, MO, and guest of Rep. Compton.

Gracious God, we thank you for the privilege that it is to humbly approach you with our praises and requests. We praise you for your love and patience with us as we seek to serve you. We ask that you will fill us with wisdom as we seek to serve your people. May the decisions that are made here be in accordance with your will and influenced by your Word. We pray that you will strengthen us with power through your Spirit, so that you may dwell in our hearts through faith. We also pray that you will open the eyes of our hearts so that we may know of the eternal hope to which only you have called us. We ask that you bless these proceedings with your presence. We pray these things in your holy Name. Amen.

The Pledge of Allegiance was led by Rep. Kuether.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Kuether, **HR 6017**, A resolution congratulating and commending Bob Chipman, was adopted.

INTRODUCTION OF GUESTS

Rep. Kuether introduced Bob Chipman, head coach of Washburn University men's basketball team, and also welcomed the players, staff members, and President Jerry Farley. The team took second place in the NCAA Division II National Championship.

Also, Speaker pro tem Aurand and Rep. Freeborn welcomed the Cloud County Community College women's basketball team, coaches and staff. The team won the NJCAA Division I National Championship.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Taxation: **HB 2584, HB 2585.**

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Aurand announced the following bills and resolution, appearing on the Calendar as "To Be Referred," were referred to committees as indicated:

Appropriations: **HB 2582, HB 2583.**

Health and Human Services: **HR 6018.**

MESSAGE FROM THE SENATE

Announcing passage of **HB 2296**, as amended; **HB 2515**, as amended; **Sub. HB 2532**, as amended.

The Senate nonconcur in House amendments to **SB 19**, requests a conference and has appointed Senators Praeger, Teichman and Feleciano as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 35**, requests a conference and has appointed Senators Corbin, Jenkins and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2178** and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2268** and has appointed Senators Corbin, Clark and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2505** and has appointed Senators Brownlee, Jordan and Barone as conferees on the part of the Senate.

The Senate adopts the conference committee report to agree to disagree on **HB 2101**, requests a new conference committee be appointed, and has appointed Senators Schmidt, Huelkamp and Downey as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, the House acceded to the request of the Senate for a conference on **SB 19**.

Speaker pro tem Aurand thereupon appointed Reps. Tomlinson, Dreher and Kirk as conferees on the part of the House.

On motion of Rep. Weber, the House acceded to the request of the Senate for a conference on **SB 35**.

Speaker pro tem Aurand thereupon appointed Reps. Edmonds, Huff and Larkin as conferees on the part of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 39, An act relating to income taxation; amending the Kansas community services program act; providing a check-off for the senior citizen meals on wheels program; amending K.S.A. 2000 Supp. 79-32,195 and 79-32,197a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Freeborn, the House concurred in Senate amendments to **HCR 5009**, A concurrent resolution urging the Congress of the United States to address the conservation and preservation of the High Plains Aquifer.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita,

Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Ruff, the House concurred in Senate amendments to **HB 2301**, An act concerning the workers compensation act; amending K.S.A. 44-508, 44-510i, 44-511, 44-551 and 44-556 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Beggs, the House concurred in Senate amendments to **HB 2098**, An act concerning wildlife and parks; relating to commercial guide services; concerning reports of disposition of certain prosecutions; amending K.S.A. 32-964 and 32-1054 and K.S.A. 2000 Supp. 21-4619 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 69; Nays 56; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Ballard, Ballou, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Dahl, Dreher, Findley, Flaharty, Flora, Freeborn, Gilbert, Glasscock, Hayzlett, Henderson, Henry, Holmes, Horst, Huff, Humerickhouse, Johnson, Kline, Krehbiel, Kuether, Lane, Light, Lightner, Lloyd, Loganbill, M. Long, Loyd, Mason, McClure, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Patterson, Pauls, E. Peterson, J. Peterson, Pottorff, L. Powell, Ray, Reardon, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tanner, Thimesch, Tomlinson, Weber, Wilk, J. Williams, Winn.

Nays: Alldritt, Aurand, Barnes, Cook, Crow, DeCastro, Dillmore, DiVita, Edmonds, Faber, Feuerborn, Garner, Gatewood, Gordon, Grant, Hermes, Howell, Huebert, Hutchins, Huy, Kauffman, Kirk, Klein, Landwehr, Larkin, Levinson, P. Long, Mayans, Mays, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Nichols, O'Brien, Ostmeyer, Palmer, Phelps, T. Powell, Powers, Pyle, Rehorn, Ruff, Spangler, Tafanelli, Toelkes, Toplikar, Vickrey, Wells, Welshimer, D. Williams, Wilson.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Boston, the House concurred in Senate amendments to **HB 2127**, An act concerning public health, relating to testing for infectious diseases; information available to corrections employees; amending K.S.A. 38-1692 and K.S.A. 2000 Supp. 65-6009, 65-6015, 65-6016 and 65-6017 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Mason, the House concurred in Senate amendments to **Sub. HB 2005**, An act concerning tax increment financing; reorganization thereof; amending K.S.A. 12-1772 and 12-17,104 and K.S.A. 2000 Supp. 12-1770, 12-1770a, 12-1771, 12-1771a, 12-1771b, 12-1771d, 12-1773, 12-1774, 12-1774a, 12-1775, 12-1776, 19-101a, 74-5093, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3620b and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, and repealing the existing sections; also repealing K.S.A. 2000 Supp. 12-1771c and 12-1774b.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Howell.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Weber, the House went into Committee of the Whole, with Rep. Shultz in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that **SB 191** be passed over and retain a place on the calendar (see further action, Committee of the Whole, Afternoon Session).

Committee report to **HB 2336** be adopted; also, on motion of Rep. Landwehr to amend, the motion was withdrawn.

Also, roll call was demanded on motion of Rep. Crow to amend **HB 2336** on page 1, by striking all of lines 19 through 43;

On pages 2 through 10, by striking all of lines 1 through 43;

On page 11, by striking all of lines 1 through 42; following line 42, by inserting four new sections as follows:

“Section 1. K.S.A. 2000 Supp. 72-6407 is hereby amended to read as follows: 72-6407.

(a) “Pupil” means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district. Except as otherwise provided in this subsection, a pupil in attendance full time shall be counted as one pupil. A pupil in attendance part time shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the pupil’s attendance bears to full-time attendance. A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil enrolled in and attending an institution of postsecondary education which is authorized under the laws of this state to award academic degrees shall be counted as one pupil if the pupil’s postsecondary education enrollment and attendance together with the pupil’s attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil’s postsecondary education attendance and attendance in grade 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in and attending an area vocational school, area vocational-technical school or approved vocational education program shall be counted as one pupil if the pupil’s vocational education enrollment and attendance together with the pupil’s attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil’s vocational education attendance and attendance in any of grades nine through 12 bears to full-time attendance. A pupil enrolled in a district and attending special education *and related* services, except special education *and related* services for preschool-aged exceptional children, provided for by the district shall be counted as one pupil. A pupil enrolled in a district and attending special education *and related* services for preschool-aged exceptional children provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-aged at-risk pupil enrolled in a district and receiving services under an approved at-risk pupil assistance plan maintained by the district shall be counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and rehabilitation services and enrolled in unified school district No. 259, Sedgwick county, Kansas, but housed, maintained, and receiving educational services at the Judge James V. Riddel Boys Ranch, shall be counted as two pupils. A pupil residing at the Flint Hills job corps center shall not be counted. A pupil confined in and receiving educational services provided for by a district at a juvenile detention facility shall not be counted. A pupil enrolled in a district but housed, maintained, and receiving educational services at a state institution shall not be counted.

(b) “Preschool-aged exceptional children” means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten.

(c) “At-risk pupils” means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(d) “Preschool-aged at-risk pupil” means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the selection of pupils for participation in head start programs. The state board shall select not more than 1,794 preschool-aged at-risk pupils to be counted in the 1999-2000 school year

and not more than ~~2,230~~ 2,666 preschool-aged at-risk pupils to be counted in any school year thereafter.

(e) "Enrollment" means, for districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the district on September 20; and for districts not hereinbefore specified, the number of pupils regularly enrolled in the district on September 20. Notwithstanding the foregoing, if enrollment in a district in any school year has decreased from enrollment in the preceding school year, enrollment of the district in the current school year means whichever is the greater of (1) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled, or (2) the sum of enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled and the average (mean) of the sum of (A) enrollment of the district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled and (B) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled and (C) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled.

(f) "Adjusted enrollment" means enrollment adjusted by adding at-risk pupil weighting, program weighting, low enrollment weighting, if any, correlation weighting, if any, school facilities weighting, if any, ancillary school facilities weighting, if any, and transportation weighting to enrollment.

(g) "At-risk pupil weighting" means an addend component assigned to enrollment of districts on the basis of enrollment of at-risk pupils.

(h) "Program weighting" means an addend component assigned to enrollment of districts on the basis of pupil attendance in educational programs which differ in cost from regular educational programs.

(i) "Low enrollment weighting" means an addend component assigned to enrollment of districts having under ~~1,725~~ 1,700 enrollment on the basis of costs attributable to maintenance of educational programs by such districts in comparison with costs attributable to maintenance of educational programs by districts having ~~1,725~~ 1,700 or over enrollment.

(j) "School facilities weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to commencing operation of new school facilities. School facilities weighting may be assigned to enrollment of a district only if the district has adopted a local option budget and budgeted therein the total amount authorized for the school year. School facilities weighting may be assigned to enrollment of the district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

(k) "Transportation weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to the provision or furnishing of transportation.

(l) "Correlation weighting" means an addend component assigned to enrollment of districts having ~~1,725~~ 1,700 or over enrollment on the basis of costs attributable to maintenance of educational programs by such districts as a correlate to low enrollment weighting assigned to enrollment of districts having under ~~1,725~~ 1,700 enrollment.

(m) "Ancillary school facilities weighting" means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 2000 Supp. 72-6441, and amendments thereto, apply on the basis of costs attributable to commencing operation of new school facilities. Ancillary school facilities weighting may be assigned to enrollment of a district only if the district has levied a tax under authority of K.S.A. 2000 Supp. 72-6441, and amendments thereto, and remitted the proceeds from such tax to the state treasurer. Ancillary school facilities weighting is in addition to assignment of school facilities weighting to enrollment of any district eligible for such weighting.

(n) "Juvenile detention facility" means any community juvenile corrections center or facility, the Forbes Juvenile Attention Facility, the Sappa Valley Youth Ranch of Oberlin,

Salvation Army/Koch Center Youth Services, the Clarence M. Kelley Youth Center, Trego County Secure Care Center, St. Francis Academy at Atchison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina, and St. Francis Center at Salina.

Sec. 2. K.S.A. 2000 Supp. 72-6412 is hereby amended to read as follows: 72-6412. The low enrollment weighting of each district with under ~~1,725~~ 1,700 enrollment shall be determined by the state board as follows:

(a) Determine the amount of the median budget per pupil for the 1991-92 school year of districts with 75-125 enrollment in such school year;

(b) determine the amount of the median budget per pupil for the 1991-92 school year of districts with 200-399 enrollment in such school year;

(c) determine the amount of the median budget per pupil for the 1991-92 school year of districts with 1,900 or over enrollment;

(d) prescribe a schedule amount for each of the districts by preparing a schedule based upon an accepted mathematical formula and derived from a linear transition between (1) the median budgets per pupil determined under (a) and (b), and (2) the median budgets per pupil determined under (b) and (c). The schedule amount for districts with 0-99 enrollment is an amount equal to the amount of the median budget per pupil determined under (a). The schedule amount for districts with 100-299 enrollment is the amount derived from the linear transition under (1). The schedule amount for districts with 300-1,899 enrollment is the amount derived from the linear transition under (2);

(e) for districts with 0-99 enrollment:

(1) Subtract the amount determined under (c) from the amount determined under (a);

(2) divide the remainder obtained under (1) by the amount determined under (c);

(3) multiply the quotient obtained under (2) by the enrollment of the district in the current school year. The product is the low enrollment weighting of the district;

(f) for districts with 100-299 enrollment:

(1) Subtract the amount determined under (c) from the schedule amount of the district;

(2) divide the remainder obtained under (1) by the amount determined under (c);

(3) multiply the quotient obtained under (2) by the enrollment of the district in the current school year. The product is the low enrollment weighting of the district;

(g) for districts with ~~300-1,724~~ 300-1,699 enrollment:

(1) Subtract the amount determined under (c) from the schedule amount of the district;

(2) divide the remainder obtained under (1) by the amount determined under (c);

(3) multiply the quotient obtained under (2) by the enrollment of the district in the current school year. The product is the low enrollment weighting of the district.

Sec. 3. K.S.A. 2000 Supp. 72-6442 is hereby amended to read as follows: 72-6442. The correlation weighting of each district with ~~1,725~~ 1,700 or over enrollment shall be determined by the state board as follows:

(a) Determine the schedule amount for a district with ~~1,725~~ 1,700 enrollment as derived from the linear transition under (d) of K.S.A. 72-6412, and amendments thereto, and subtract the amount determined under (c) of K.S.A. 72-6412, and amendments thereto, from the schedule amount so determined;

(b) divide the remainder obtained under (a) by the amount determined under (c) of K.S.A. 72-6412, and amendments thereto, and multiply the quotient by the enrollment of the district in the current school year. The product is the correlation weighting of the district.

Sec. 4. K.S.A. 2000 Supp. 72-6407, 72-6412 and 72-6442 are hereby repealed.”;

By renumbering section 4 as section 5;

In the title, in line 13, by striking all after the semicolon; by striking all of lines 14 and 15; in line 16, by striking all before the period and inserting “affecting determination of low enrollment and correlation weighting; amending K.S.A. 2000 Supp. 72-6407, 72-6412 and 72-6442 and repealing the existing sections”;

On roll call, the vote was: Yeas 52; Nays 69; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Barnes, Burroughs, Crow, DeCastro, Dillmore, Feuerborn, Findley, Flaherty, Flora, Garner, Gatewood, Gilbert, Grant, Henderson, Horst, Howell, Huy, Johnson, Kirk, Klein, Kuether, Levinson, Loganbill, M. Long, Loyd, Mayans, McKinney, Miller, Myers, Nichols, O'Brien, Palmer, E. Peterson, Phelps, Pottorff, Powers, Pyle, Reardon, Rehorn,

Ruff, Sharp, Showalter, Shriver, Stone, Swenson, Toelkes, Toplikar, Wells, Welshimer, Wilson, Winn.

Nays: Aday, Alldritt, Aurand, Ballou, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Dahl, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Henry, Holmes, Huebert, Huff, Humerickhouse, Hutchins, Kauffman, Kline, Krehbiel, Landwehr, Lane, Larkin, Light, Lightner, Lloyd, P. Long, Mason, Mays, McClure, McCreary, McLeland, Merrick, Minor, Jim Morrison, Judy Morrison, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Patterson, J. Peterson, L. Powell, T. Powell, Ray, Schwartz, Shultz, Sloan, Storm, Tafanelli, Tanner, Thimesch, Tomlinson, Vickrey, Weber, Wilk, D. Williams, J. Williams.

Present but not voting: None.

Absent or not voting: Hermes, Neufeld, Pauls, Spangler.

The motion of Rep. Crow did not prevail.

Also, on motion of Rep. Horst **HB 2336** be amended on page 11, following line 39, by inserting a new section as follows:

"New Sec. 2. (a) Commencing on July 1, 2001, school districts shall yearly collect financial data in such a manner as to be able to report income and expenditures in the following categories:

- (1) Income received by the district from all federal, state and local sources whether of private or public origin;
- (2) expenditures made by the district for direct instruction costs in each classroom;
- (3) expenditures made by the district in each building for indirect instruction costs, for extracurricular activities, and for operating costs;
- (4) expenditures for district-level administration and related administrative expenditures;
- (5) expenditures made from each of the special funds; and
- (6) any other district expenditures not previously included.

(b) Subcategories should be established when appropriate. Said data shall be reported by category to the Kansas state department of education by September 1 of each year.;"

By renumbering sections 2 through 9 as sections 3 through 5, respectively;

Also, roll call was demanded on motion of Rep. P. Long to amend **HB 2336** on page 11, by striking all of lines 40, 41 and 42, following line 42, by inserting the following:

"Sec. 2. On July 1, 2001, K.S.A. 72-5326 shall be and is hereby amended to read as follows: 72-5326. The ~~board of education of any school district or the~~ board of trustees of any community ~~junior~~ college is hereby authorized to appropriate money out of its general fund to pay the annual dues *for membership* in the Kansas association of school boards.

Sec. 3. On July 1, 2001, K.S.A. 72-53,108 shall be and is hereby amended to read as follows: 72-53,108. (a) The board of education of ~~any~~ *each* school district is hereby ~~authorized to offer prohibited from offering~~ employment to ~~and employ or employing~~ lobbyists ~~and or any other persons for lobbying and to pay any expenses incurred in connection therewith from the general fund of the school district.~~

(b) ~~All expenditures heretofore made for the payment of expenses incurred by any school district in connection with or for the purpose of lobbying or the employment of lobbyists are hereby validated and approved in all respects, together with all proceedings authorizing such expenditures, and such expenditures and proceedings shall be valid as though they had been duly and legally authorized originally.~~

(c) As used in this section, the terms "lobbyist" and "lobbying" shall have the meanings respectively ascribed thereto in article 2 of chapter 46 of Kansas Statutes Annotated.

Sec. 4. On July 1, 2001, K.S.A. 72-5326 and 72-53,108 and K.S.A. 2000 Supp. 72-6433 are hereby repealed.;"

By renumbering sections accordingly;

In the title, in line 14, before "amending", by inserting "prohibiting the employment of lobbyists; rescinding authorization for payment of dues to the Kansas association of school boards;"; in line 15, after "K.S.A.", by inserting "72-5326, 72-53,108 and K.S.A."; also in line 15, by striking "section; also"; in line 16, by striking all before the period and inserting "sections";

On roll call, the vote was: Yeas 42; Nays 79; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Aurand, Ballou, Boston, Compton, Cook, Dahl, Edmonds, Freeborn, Hayzlett, Huebert, Hutchins, Kauffman, Krehbiel, Landwehr, Lightner, Lloyd, P. Long, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Myers, Neufeld, Novascone, O'Neal, Osborne, Palmer, Pauls, T. Powell, Powers, Schwartz, Shultz, Toplikar, Vickrey, Weber, D. Williams, Wilson.

Nays: Aldritt, Ballard, Barnes, Beggs, Benlon, Bethell, Burroughs, Campbell, Cox, Crow, Dillmore, DiVita, Dreher, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huff, Huy, Johnson, Kirk, Kline, Kuether, Lane, Larkin, Levinson, Light, Loganbill, M. Long, Loyd, McClure, McKinney, Minor, Judy Morrison, Newton, Nichols, O'Brien, Ostmeyer, Patterson, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, Pyle, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Toelkes, Tomlinson, Wells, Welshimer, Wilk, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: DeCastro, Humerickhouse, Klein, Thimesch.

The motion of Rep. P. Long did not prevail.

Also, roll call was demanded on motion of Rep. Landwehr to amend **HB 2336** on page 11, by striking all of lines 40 through 42; following line 42, by inserting four sections as follows:

"New Sec. 2. (a) There is established the joint committee on school finance reform. The joint committee shall be composed of 16 members.

(b) The following members of the joint committee shall serve ex officio or shall designate a person to represent them on the committee: The chairperson and ranking minority member of the committee on education of the house of representatives, the chairperson and ranking minority member of the committee on education of the senate, the chairperson and ranking minority member of the committee on taxation of the house of representatives, the chairperson and ranking minority member of the committee on assessment and taxation of the senate, the chairperson and ranking minority member of the committee on appropriations of the house of representatives, the chairperson and ranking minority member of the committee on ways and means of the senate, the speaker and minority leader of the house of representatives, the president and minority leader of the senate.

(c) The joint committee shall organize on January 14, 2002, and elect a chairperson and vice-chairperson from among the members of the committee so that one such officer is a member of the house of representatives and the other such officer is a member of the senate. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of chairperson or vice-chairperson, another member of the committee shall be elected by the members of the committee to fill such vacancy.

(d) A quorum of the joint committee on school finance reform shall be nine. All actions of the joint committee shall be taken by a majority of all the members of the committee.

(e) The joint committee on school finance reform may meet at any time on the call of the chairperson. The joint committee may hold meetings throughout the state to receive information and recommendations to assist the joint committee in carrying out its functions and duties.

(f) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on school finance reform.

(g) The provisions of this section shall expire on January 30, 2003.

New Sec. 3. (a) The joint committee on school finance reform shall:

(1) Review the financing provisions of the school finance and quality performance act and the current array of categorical school aid programs;

(2) evaluate the recommendations of the governor's task force on K-12 funding; financing for results;

(3) review the findings and recommendations regarding school finance reform contained in past reports and audits conducted by legislative study committees or authorized by the governor, the legislature or the state board of education;

(4) consider the recommendations prepared for the state board of education regarding school district organization;

(5) review systems of financial support of public education funding in other states;

(6) solicit recommendations from the general public and from the various public education interest organizations throughout the state on principles of an optimal school finance plan; and

(7) submit a report and proposed legislation to the legislature on or before January 15, 2003, for a school finance program to be the successor to the school district finance and quality performance act. The report should address how the plan proposes to meet the varying educational needs of each child enrolled in a public school in this state.

(b) The provisions of this section shall expire on January 30, 2003.

Sec. 4. On June 30, 2003, K.S.A. 72-6405, 72-6406, 72-6408, 72-6411, 72-6413, 72-6415, 72-6416, 72-6418, 72-6419, 72-6420, 72-6421, 72-6422, 72-6423, 72-6424, 72-6425, 72-6427, 72-6428, 72-6429, 72-6432, 72-6434, 72-6435, 72-6436, 72-6437 and 72-6440 and K.S.A. 2000 Supp. 72-6407, 72-6409, 72-6410, 72-6412, 72-6414, 72-6417, 72-6426, 72-6430, 72-6431, 72-6433, 72-6438, 72-6439, 72-6441, 72-6442, 72-6443, 72-6444 and 72-6445 are hereby repealed.

Sec. 5. K.S.A. 2000 Supp. 72-6433 is hereby repealed.”;

By renumbering section 4 as section 5;

In the title, in line 14, before “amending”, by inserting “establishing a joint committee on school finance reform; providing for the composition, duties and functions of the joint committee”; in line 16, by striking all before the period and inserting “repealing K.S.A. 72-6405, 72-6406, 72-6408, 72-6411, 72-6413, 72-6415, 72-6416, 72-6418, 72-6419, 72-6420, 72-6421, 72-6422, 72-6423, 72-6424, 72-6425, 72-6427, 72-6428, 72-6429, 72-6432, 72-6434, 72-6435, 72-6436, 72-6437 and 72-6440 and K.S.A. 2000 Supp. 72-6407, 72-6409, 72-6410, 72-6412, 72-6414, 72-6417, 72-6426, 72-6430, 72-6431, 72-6433, 72-6438, 72-6439, 72-6441, 72-6442, 72-6443, 72-6444 and 72-6445”;

On roll call, the vote was: Yeas 37; Nays 85; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballou, Boston, Cook, Crow, Dahl, DeCastro, Edmonds, Glasscock, Horst, Huy, Kauffman, Klein, Landwehr, Lightner, P. Long, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Judy Morrison, Novascone, O’Neal, Osborne, Palmer, J. Peterson, T. Powell, Ray, Shriver, Shultz, Storm, Tafanelli, Tomlinson, Vickrey, D. Williams.

Nays: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Burroughs, Campbell, Compton, Cox, Dillmore, DiVita, Dreher, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Howell, Huebert, Huff, Hutchins, Johnson, Kirk, Kline, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lloyd, Loganbill, M. Long, Loyd, McClure, McKinney, Minor, Jim Morrison, Myers, Neufeld, Newton, Nichols, O’Brien, Ostmeyer, Patterson, Pauls, E. Peterson, Phelps, Pottorff, L. Powell, Powers, Pyle, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Sloan, Spangler, Stone, Swenson, Thimesch, Toelkes, Toplikar, Weber, Wells, Welshimer, Wilk, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: Humerickhouse, Tanner, Wilson.

The motion of Rep. Landwehr did not prevail.

Also, roll call was demanded on motion to recommend **HB 2336** favorably for passage.

On roll call, the vote was: Yeas 67; Nays 57; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Aurand, Ballou, Beggs, Benlon, Bethell, Campbell, Compton, Cook, Cox, Dahl, DiVita, Dreher, Edmonds, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Huebert, Huff, Hutchins, Johnson, Kauffman, Kline, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, P. Long, Loyd, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Judy Morrison, Neufeld, Newton, Novascone, O’Neal, Osborne, Palmer, Patterson,

J. Peterson, L. Powell, T. Powell, Ray, Sharp, Shultz, Spangler, Stone, Storm, Tafanelli, Tanner, Tomlinson, Toplikar, Vickrey, Weber, Wilk, D. Williams.

Nays: Ballard, Barnes, Boston, Burroughs, Crow, DeCastro, Dillmore, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Grant, Henderson, Henry, Howell, Huy, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, Mason, McClure, McKinney, Minor, Jim Morrison, Myers, Nichols, O'Brien, Ostmeyer, Pauls, E. Peterson, Phelps, Pottorff, Powers, Pyle, Reardon, Rehorn, Ruff, Schwartz, Showalter, Shriver, Sloan, Swenson, Thimesch, Toelkes, Wells, Welshimer, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Humerickhouse.

The motion prevailed and **HB 2336** be passed as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **SB 170** be amended on page 1, in line 27, by striking all following the period; by striking all in lines 28 through 30 and inserting "In addition to other duties under law, the attorney general shall advise and serve as legal counsel for the Kansas children's cabinet with respect to all agreements entered into by the Kansas children's cabinet under this section."; preceding line 36, by inserting new material to read as follows:

"Sec. 2. All expenditures by the "Sunflower Foundation: Health Care for Kansans," a not-for-profit corporation which was created pursuant to the settlement agreement entered into by the parties and approved by the court in the case of Blue Cross and Blue Shield of Kansas, Inc., vs. Carla Stovall, Kansas Attorney General, Case No. 97CV000608, Shawnee County District Court, and which is referred to in this act as the sunflower foundation, for purposes for which the moneys credited to the children's initiatives fund may be expended shall be subject to approval by the Kansas children's cabinet established by K.S.A. 38-1901 and amendments thereto. All such expenditures by the sunflower foundation shall be subject to and shall be made in accordance with the same guidelines, conditions and restrictions prescribed by law for expenditures from the children's initiatives fund by subsection (b) of K.S.A. 38-2102 and amendments thereto.

Sec. 3. (a) On and after the effective date of this act, all members of the board of trustees of the sunflower foundation shall be appointed as prescribed by this section.

(b)(1) On or after the effective date of this act, upon the expiration of the term of office of the members of the board of trustees of the sunflower foundation who were first-appointed and who were appointed to a one-year term, successors shall be appointed to such membership offices on the board of trustees for three-year terms in accordance with and subject to the provisions of the constitution and bylaws of the sunflower foundation and the settlement agreement which prescribe the qualifications and composition of the board of trustees, except that (A) one such office shall be filled by appointment by the governor from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement, (B) one such office shall be filled by appointment by the speaker of the house of representatives from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement, and (C) the remaining such office shall be filled by appointment by the president of the senate from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement.

(2) On or after the effective date of this act, upon the expiration of the term of office of the members of the board of trustees of the sunflower foundation who were first-appointed and who were appointed to a two-year term, successors shall be appointed to such membership offices on the board of trustees for three-year terms in accordance with and subject to the provisions of the constitution and bylaws of the sunflower foundation and the settlement agreement which prescribe the qualifications and composition of the board of trustees, except that (A) one such office shall be filled by appointment by the governor from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement, (B) one such office shall be filled by appointment by the minority leader of the house of representatives from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement,

and (C) the remaining such office shall be filled by appointment by the minority leader of the senate from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement.

(3) On or after the effective date of this act, upon the expiration of the term of office of the members of the board of trustees of the sunflower foundation who were first-appointed and who were appointed to a three-year term, successors shall be appointed to such membership offices on the board of trustees for three-year terms in accordance with and subject to the provisions of the constitution and bylaws of the sunflower foundation and the settlement agreement which prescribe the qualifications and composition of the board of trustees, except that, of such offices, (A) the office of the member appointed by Blue Cross and Blue Shield of Kansas, Inc., shall be filled by appointment by the governor from among a list of three or more persons who shall be nominated for the office by the Blue Cross and Blue Shield of Kansas, Inc., (B) one of the two remaining appointments for such offices shall be filled by appointment by the speaker of the house of representatives from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement, and (C) the last remaining appointment for such offices shall be filled by appointment by the president of the senate from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement.

(c) In the case of a vacancy existing on or after the effective date of this act in the office of any member of the board of trustees of the sunflower foundation, the vacancy shall be filled for the unexpired term by appointment in accordance with and subject to the provisions of the constitution and bylaws of the sunflower foundation and the settlement agreement which are applicable to the appointment of a member to the vacant office, except that such vacancy shall be filled by appointment from among the persons nominated for the office by the community advisory committee as provided in the settlement agreement by the officer who is specified by subsection (b) to appoint successors to the office of the member upon expiration of the term of such office.

(d) The provisions of this section shall not affect the office of any member of the board of trustees of the sunflower foundation who is appointed to such board of trustees prior to the effective date of this act, except as specifically provided in any case of a vacancy in such office existing on or after the effective date of this act.

(e) As used in this section "settlement agreement" means the settlement agreement entered into by the parties and approved by the court in the case of Blue Cross and Blue Shield of Kansas, Inc., vs. Carla Stovall, Attorney General, Case 97CV000608, Shawnee County District Court.

Sec. 4. The sunflower foundation and the board of trustees of the sunflower foundation are hereby made subject to and shall comply with the provisions of the professional services sunshine act, K.S.A. 75-37,130 through 75-37,135 and amendments thereto.

Sec. 5. If any provision or clause of this act or application thereof to any person or circumstances 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.;

By renumbering the remaining section accordingly;

Also on page 1, in line 37, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 9, following "ACT", by inserting "relating to certain moneys in certain trust funds;"; also in line 9, by striking "; relating to" and inserting "and the sunflower foundation; authorizing certain"; in line 10, by striking "entity" and inserting "entities"; in line 11, by striking all following the semicolon; in line 12, by striking "general" and inserting "prescribing procedures, guidelines and conditions precedent for certain expenditures by, and providing for the composition of the board of trustees of, the sunflower foundation"; and the bill be passed as amended.

The Committee on **Federal and State Affairs** recommends **SCR 1611**, be amended on page 2, in line 8, by striking "opposed" and inserting "oppose"; and the concurrent resolution be adopted as amended.

The Committee on **Health and Human Services** recommends **HB 2372** be amended on page 1, by striking all in lines 13 through 28 and inserting:

“Section 1. K.S.A. 2000 Supp. 65-6406 is hereby amended to read as follows: 65-6406. The board shall issue a license to an individual who is currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that the standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are ~~at least equivalent to or exceed~~ *substantially the equivalent of* the requirements of the marriage and family therapists licensure act and rules and regulations of the board. An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411 and amendments thereto.

Sec. 2. K.S.A. 2000 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays an application fee prescribed by the board, not in excess of \$150 and an original license fee not in excess of \$200, which shall not be refunded, who ~~either~~ satisfies the board as to such person's training and experience after a thorough review of such person's credentials ~~or~~ *and* who passes a satisfactory examination in psychology. Any person paying the fee must also submit evidence verified by oath and satisfactory to the board that such person: (1) Is at least 21 years of age; (2) is of good moral character; (3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and (4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under item (3) of subsection (a). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of item (3) of subsection (a) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

Sec. 3. K.S.A. 2000 Supp. 65-6406 and 74-5310 are hereby repealed.”;

And by renumbering section 2 accordingly;

In the title, in line 9, by striking all after “ACT”; in line 10, by striking all before the period and inserting “concerning behavioral sciences; relating to marriage and family therapists and psychologists; amending K.S.A. 2000 Supp. 65-6406 and 74-5310 and repealing the existing sections”; and the bill be passed as amended.

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 and concurrent resolutions were thereupon introduced and read by title:

HB 2586. An act relating to taxation; allowing credits for payments to certain port authorities, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. 5030—

By Committee on Agriculture

A CONCURRENT RESOLUTION urging the United States Congress to enact legislation mandating country of origin labeling for meat and requiring certain import standards on foreign meat products.

WHEREAS, The American rancher and farmer face the most stringent environmental regulations in the world, and apply federal Food and Drug Administration approved pesti-

cides, antibiotics and pharmaceuticals to further ensure the safety of American-produced and raised live animals, meat, dairy and related products; and

WHEREAS, In recent years, the world's food supply has faced new threats in the form of food-borne illnesses and illness-causing organisms such as Salmonella, E. coli bacteria, and Listeria monocytogenes, and including the emergence of antibiotic-resistant organisms associated with the contamination of the food supply; and

WHEREAS, The American livestock producer follows strict withdrawal periods and techniques for administering federal Food and Drug Administration-approved pesticides, antibiotics and pharmaceuticals before allowing livestock to be marketed and processed for human consumption; and

WHEREAS, Because imported live animals, meat, dairy and related products do not follow the same stringent environmental requirements, and foreign producers have the availability of pesticides, antibiotics and pharmaceuticals which are illegal for use in the United States, and foreign producers are not restricted on withdrawal periods nor administration techniques for pesticides, antibiotics and pharmaceuticals, it is reasoned that the importation of animals and animal products can be a threat to the safety and reliability of America's food supply; and

WHEREAS, A country of origin labeling system that embraces traceability and accountability will help ensure the safe consumption of meat products in America; and

WHEREAS, The taxpaying public of the United States has made an enormous investment in food safety and has the right to know where food is produced: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge the United States Congress to enact legislation that mandates country of origin labeling for meat, and requires that products labeled as "U.S. Produced" be born, raised and processed completely in the United States; and

Be it further resolved: That any meat products imported into the United States meet all the same standards as those required on American-produced meat products; and

Be it further resolved: That the Secretary of the Senate send an enrolled copy of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Kansas Congressional Delegation.

HOUSE CONCURRENT RESOLUTION No. 5031—

By Committee on Agriculture

A CONCURRENT RESOLUTION supporting safeguards to prevent movement of foot and mouth disease and a moratorium on importation of certain animals and products thereof.

WHEREAS, The dramatic increase in the incidence of foot and mouth disease in Europe, and now present on four continents, has prompted the Animal and Plant Health Inspection Service of the United States Department of Agriculture to issue warnings to all American citizens, especially those traveling abroad, and to American livestock owners to protect their vital industry; and

WHEREAS, The foot and mouth disease virus can be spread by equipment, vehicles, shoes, clothing, food items or even by surviving for 28 hours in the human respiratory system; and

WHEREAS, Should foot and mouth disease enter the United States, the result would be massive outbreaks of the disease in America, with total disruption of the American food supply; and

WHEREAS, The United States is currently free from foot and mouth disease which is decimating Europe and spreading worldwide: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we support safeguards to prevent movement of foot and mouth disease on persons, on other animals not directly susceptible to the virus but which could be passive carriers, and on inanimate objects; and

Be it further resolved: That we support a moratorium on all imports of cloven-hoofed animals and products thereof, for a period of three years or until importers can prove that

cloven-hoofed animals and products thereof are free of foot and mouth disease for the protection of the American livestock owners; and

Be it further resolved: That the Secretary of State be directed to send an enrolled copy of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Kansas Congressional Delegation.

HOUSE CONCURRENT RESOLUTION No. 5032—

By Committee on Taxation

A CONCURRENT RESOLUTION approving the creation of the City of Pittsburg, Kansas, Port Authority

WHEREAS, The state of Kansas encourages economic development and cooperation to maintain and foster the economic stability and continued growth needed for a prosperous Kansas economy; and

WHEREAS, The economic prosperity and well-being of the City of Pittsburg, Kansas, will be enhanced and improved by the creation of a port authority; and

WHEREAS, The Commission of the City of Pittsburg, Kansas, proposes to pass an ordinance to create a City of Pittsburg, Kansas, port authority: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas, in accordance with the provisions of K.S.A. 12-3402, hereby approves the creation of the City of Pittsburg, Kansas, Port Authority.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Aurand announced the referral of **HB 2586; HCR 5032** to Committee on Transportation.

MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **SB 53**, and requests return of the bill.

The Senate concurs in House amendments to **SB 56**, and requests return of the bill.

The Senate concurs in House amendments to **SB 280**, and requests return of the bill.

The Senate concurs in House amendments to **SB 309**.

The Senate nonconcurs in House amendments to **SB 205**, requests a conference and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. O'Neal, the House nonconcurred in Senate amendments to **HB 2296** and asked for a conference.

Speaker pro tem Aurand thereupon appointed Reps. O'Neal, Loyd and Pauls as conferees on the part of the House.

On motion of Rep. Neufeld, the House nonconcurred in Senate amendments to **Sub. HB 2532** and asked for a conference.

Speaker pro tem Aurand thereupon appointed Reps. Wilk, Neufeld and Nichols as conferees on the part of the House.

On motion of Rep. Weber, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Aurand in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 3, by striking all in lines 28 through 43;
 On page 4, by striking all in lines 1 through 43;
 on page 5, by striking all in lines 1 through 43;
 On page 6, by striking all in lines 1 through 43;
 On page 7, by striking all in lines 1 through 21;
 By renumbering sections accordingly;
 Also on page 7, in line 22, by striking "and 40-3118";
 In the title, in line 15, by striking "and 40-3118";

And your committee on conference recommends the adoption of this report.

ROBERT TOMLINSON
 STANLEY DREHER
 NANCY A. KIRK
Conferees on part of House

LES DONOVAN
 LARRY D. SALMANS
 U.L. GOOCH
Conferees on part of Senate

On motion of Rep. Tomlinson, the conference committee report on **SB 83** was adopted.
 Call of the House was demanded.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 160**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 6, after line 27, by inserting the following:

"New Sec. 4. The state board of regents shall negotiate with accredited schools of dentistry for seats in such universities' dental schools for Kansas dental students. The state board of regents shall present a report to the legislature of the state of Kansas regarding such negotiations on or before the commencement of the 2002 legislative session.

New Sec. 5. For the purposes of designating persons for guaranteed admission to and continued enrollment at accredited schools or colleges of dentistry in a course of instruction leading to a doctor of dental surgery degree in accordance with a contract under K.S.A. 76-721a and amendments thereto, the state board of regents shall designate persons who are Kansas residents and who enter into a written agreement with the state board of regents in accordance with section 6, and amendments thereto.

New Sec. 6. An agreement entered into by the state board of regents and a Kansas resident who is an undergraduate student enrolled in or admitted to an accredited school or college of dentistry pursuant to a contract which provides for guaranteed admission and continued enrollment of such person therein and which was entered into for such purpose under K.S.A. 76-721a, and amendments thereto, shall require that the person:

(a) Complete the required course of instruction in dentistry and receive the degree therefor;

(b) apply for and obtain a license to practice dentistry in Kansas;

(c) engage in the full-time practice of dentistry for a period of 12 months in Kansas for each year in which such person is so enrolled pursuant to a contract under K.S.A. 76-721a, and amendments thereto;

(d) commence such full-time practice of dentistry within nine months after licensure and continue such full-time practice in Kansas for a consecutive period of months equal to the total number of months required under the agreement;

(e) maintain records and make reports to the state board of regents to document the satisfaction of the obligation under such agreement to engage in the full-time practice of dentistry in Kansas and to continue such full-time practice for a consecutive period of months equal to the total number of months required under the agreement; and

(f) upon failure to satisfy an agreement to engage in the full-time practice of dentistry in Kansas for the required period of time under such agreement, repay amounts to the state board of regents as provided in section 7, and amendments thereto.

Sec. 7. (a) Except as otherwise provided in section 8, and amendments thereto, and subsection (e), upon the failure of any person to satisfy the obligation to engage in the full-time practice of dentistry within the state of Kansas for the required period of time under an agreement entered into pursuant to section 6, and amendments thereto, such person shall repay to the state board of regents an amount equal to the total of (1) the difference between the cost of tuition and fees at the accredited school of dentistry attended by such person and the average cost of tuition and fees for in-state tuition at a state board of regents institution as fixed by the state board of regents for guaranteed admission and continued enrollment of such person in an accredited school or college of dentistry pursuant to a contract entered into therefor under K.S.A. 76-721a, and amendments thereto, plus (2) annual interest at a rate of 15% from the date such money was paid pursuant to such contract.

(b) Each person required to repay any amount under this section shall repay an amount totaling the entire amount to be repaid under such agreement for which such obligation is not satisfied, including all interest at the rate prescribed. Except as otherwise provided in this section, such repayment shall be in installment payments and each such installment shall be not less than the amount equal to $\frac{1}{5}$ of the total amount which would be required to be paid if repaid in five equal annual installments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreement, as determined by the state board of regents based upon the circumstances of each individual case. If an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all interest at the rate prescribed.

(d) The total repayment obligation imposed under the agreement entered into under section 6, and amendments thereto, may be satisfied at any time prior to graduation from the accredited school or college of dentistry by making a single lump-sum payment equal to the total of (1) the entire amount to be repaid under such agreement upon failure to satisfy the obligation under such agreement to practice in Kansas, plus (2) all interest thereon at the rate prescribed to the date of payment.

(e) If a person fails to satisfy an obligation to engage in the full-time practice of dentistry in Kansas for the required period of time under an agreement entered into pursuant to section 6, and amendments thereto, because such person is engaged in the practice of dentistry in a state other than Kansas, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of dentistry in this state which complies with the agreements entered into under such statute,

the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice in this state, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

New Sec. 8. (a) An obligation to engage in the practice of dentistry in accordance with an agreement under section 6, and amendments thereto, shall be postponed: (1) During any required period of active military service; (2) during any period of service as a part of volunteers in service to America (VISTA); (3) during any period of service in the peace corps; (4) during any period of service commitment to the United States public health service; (5) during any period of religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1954, as amended; (6) during the period of time the person obligated is engaged solely in the teaching of dentistry; (7) during the period of time the person obligated is engaged solely in dental research; (8) during any period of temporary medical disability during which the person obligated is unable because of such medical disability to practice dentistry; or (9) during the period of time the person obligated is enrolled in an accredited school of dentistry receiving instruction in a recognized dental specialty or postgraduate dental program. Except for clause (8) of this subsection (a), an obligation to engage in the practice of dentistry in accordance with an agreement under section 6, and amendments thereto, shall not be postponed more than five years from the time the practice of dentistry was to have been commenced under any such agreement. An obligation to engage in the practice of dentistry in accordance with an agreement under section 6, and amendments thereto, shall be postponed under clause (8) of this subsection (a) during the period of time the medical disability exists.

(b) An obligation to engage in the practice of dentistry in accordance with an agreement under section 5, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of dentistry in accordance with an agreement under section 6, and amendments thereto, has been completed; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice dentistry; or (4) if the person obligated fails to satisfy the requirements for a degree from an accredited school or college of dentistry after such person has made their best efforts to obtain such degree.

New Sec. 9. The provisions of sections 4 to 9, inclusive, and amendments thereto shall apply to students entering their first year of an accredited school of dentistry commencing with the 2002-03 school year.

New Sec. 10. Sections 10 through 16, and amendments thereto, shall be known and may be cited as the dental hygienists student loan act.

New Sec. 11. As used in the dental hygienists student loan act:

(a) "School of dental hygiene" means a school approved by the Kansas dental board for the teaching of dental hygiene under the dental practices act;

(b) "service commitment area" means (1) any community within any county in Kansas other than Douglas, Johnson, Sedgwick or Shawnee county, (2) any state medical care facility or institution, (3) any medical center operated by the veterans administration of the United States, or (4) the full-time faculty of a school of dental hygiene located in Kansas; and

(c) "state medical care facility or institution" includes, but is not limited to, the Kansas state school for the blind, the Kansas state school for the deaf, any institution under the secretary of social and rehabilitation services, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, any institution under the commissioner of juvenile justice as defined by K.S.A. 38-1602, and amendments thereto, the Kansas soldiers' home, the Kansas veterans' home and any correctional institution under the secretary of corrections, as defined by subsection (d) of K.S.A. 75-5202, and amendments thereto, but shall not include any state educational institution under the state board of regents, as defined by subsection (a) of K.S.A. 76-711 and amendments thereto, except as specifically provided by statute.

New Sec. 12. (a) There is hereby established the dental hygienist student loan program under the state board of regents.

(b) Subject to the provisions of appropriation acts, the state board of regents may make dental hygiene student loans in accordance with the provisions of the dental hygienists student loan act to undergraduate students who are enrolled in or admitted to a school of dental hygiene and who enter into a written student loan agreement with the state board of regents in accordance with section 13 and amendments thereto.

(c) Each student loan agreement under the dental hygienists student loan act shall provide to the person receiving the loan the payment of all tuition of the student enrolled in a school of dental hygiene.

(d) Subject to the provisions of appropriation acts, student loan agreements under the dental hygienists student loan act may be entered into on an annual basis and shall provide the payment of the amounts specified under subsection (c) for one year unless otherwise terminated before such period of time. Subject to the provisions of appropriation acts, an undergraduate student enrolled in or admitted to a school of dental hygiene may receive a separate loan under the dental hygienists student loan act for each separate year the student enters into a written student loan agreement with the state board of regents under section 13, and amendments thereto. For each separate year a student receives a loan under the dental hygienists student loan act, the student shall engage in the full-time practice of dental hygiene in an appropriate service commitment area for a period of 12 months unless such obligation is otherwise satisfied as provided in section 16, and amendments thereto.

(e) Student loans shall be awarded on a priority basis as follows, first to qualified applicants who are Kansas residents at the time of entry into a school of dental hygiene, and second, to qualified applicants who are not Kansas residents at the time of entry into a school of dental hygiene. As used in this subsection, "Kansas residents" means persons who meet the residence requirements established in K.S.A. 76-729, and amendments thereto.

New Sec. 13. A student loan agreement entered into by the state board of regents and an undergraduate student enrolled in or admitted to a school of dental hygiene for the purpose of receiving a student loan under the dental hygienists student loan act shall require that the person receiving the loan:

(a) Complete the required course of instruction and apply for and obtain a license to practice dental hygiene in Kansas;

(b) commence the full-time practice of dental hygiene within nine months after graduation from a school of dental hygiene and licensure in a service commitment area and continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement;

(c) maintain records and make reports to the state board of regents to document the satisfaction of the obligation under such agreement to engage in the full-time practice of dental hygiene within a service commitment area and to continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement; and

(d) upon failure to satisfy an agreement to engage in the full-time practice of dental hygiene within a service commitment area for the required period of time under any such agreement, the person receiving a student loan under the dental hygienists student loan act shall repay amounts to the state board of regents as provided in section 15, and amendments thereto.

New Sec. 14. (a) Upon the selection of a service commitment area for the purposes of satisfying a service obligation under a student loan agreement entered into under the dental hygienists student loan act, the person so selecting shall inform the state board of regents of the service commitment area selected.

(b) A person serving in a service commitment area pursuant to any agreement under the dental hygienists student loan act may serve all or part of any commitment in the service commitment area initially selected by such person. If such person moves from one service commitment area to another service commitment area, such person shall notify the state board of regents of such person's change of service commitment area. Service in any such service commitment area shall be deemed to be continuous for the purpose of satisfying any agreement entered into under the dental hygienists student loan act.

(c) A person receiving a student loan under the dental hygienists student loan act may satisfy the obligation to engage in the full-time practice of dental hygiene in a service com-

mitment area if the person serves as a full-time faculty member of a school of dental hygiene located in Kansas and serves two years for each one year of such obligation, or the equivalent thereof on a two-for-one basis.

(d) A person may satisfy the obligation to engage in the full-time practice of dental hygiene in a service commitment area by performing at least 100 hours per month of on-site dental hygiene care at a medical facility operated by a local health department or non-profit organization in this state serving dentally indigent persons. As used in this subsection, "dentally indigent" shall have the meaning ascribed thereto in subsection (b) of K.S.A. 2000 Supp. 65-1466, and amendments thereto.

New Sec. 15. (a) (1) Except as otherwise provided in paragraphs (2), (3), (4) and (5) of this subsection (a) or in section 16, and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time practice of dental hygiene within a service commitment area of this state for the required period of time under any student loan agreement entered into under the dental hygienists student loan act, such person shall repay to the state board of regents in accordance with subsection (b) an amount equal to the total of (A) the amount of money received by such person pursuant to such agreement, or the amount of money determined under rules and regulations of the state board of regents plus (B) annual interest at a rate of 15% from the date such money was received.

(2) Any person who fails to apply for licensure as a dental hygienist shall be required to repay all moneys received pursuant to an agreement entered into for any such student loan, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of graduation from the school of dental hygiene.

(3) If at any time a person is failing to satisfy an obligation to engage in the full-time practice of dental hygiene in Kansas for the required period of time under an agreement entered into under the dental hygienists student loan act because such person is engaged in the full-time practice of dental hygiene in a state other than Kansas, or within Kansas in an area that is not a service commitment area or in the practice of dental hygiene which does not otherwise comply with the agreement entered into under the dental hygienists student loan act, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of dental hygiene in this state which is in a service commitment area or which otherwise complies with the agreement entered into under the dental hygienists student loan act, the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

(4) If, during the time a person is satisfying the service requirement of an agreement entered into under the dental hygienists student loan act, such person desires to engage in less than the full-time practice of dental hygiene within a service commitment area of the state and remain in satisfaction of such service requirement, such person may make application to the state board of regents or the designee of the state board of regents for permission to engage in less than such full-time practice of dental hygiene. Upon a finding of exceptional circumstances made by the state board of regents, or the designee of the state board of regents, such person may be authorized to engage in less than the full-time practice of dental hygiene within a service commitment area of the state for the remaining required period of time under such agreement and for an additional period of time which shall be equal to the length of the originally required period of time multiplied by the decimal fraction which is equal to the reduction of the full-time practice of dental hygiene to be authorized hereunder, multiplied by two. In any such determination of the period required to be engaged in the less than full-time practice of dental hygiene, the decimal fraction utilized shall not exceed .5 and any person granted permission to engage in less than the full-time practice of dental hygiene in accordance with the provisions of this paragraph (4) shall be required to engage in at least the half-time practice of dental hygiene.

(5) Any person who fails to satisfy the obligation to engage in the full-time practice of dental hygiene within a service commitment area of this state for the required period of time shall be required to repay all money received pursuant to an agreement entered into under the dental hygienists student loan act, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of failure to commence qualifying practice.

(b) For any repayment requirement under this section, the person shall repay an amount totaling the entire amount to be repaid under all such agreements for which such obligations are not satisfied, including all amounts of interest at the rate prescribed. The repayment shall be made in not more than 10 equal annual installment payments or in monthly payments as specified by the state board of regents.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the state board of regents based upon the circumstances of each individual case. In all cases, if an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into under the dental hygienists student loan act may be satisfied by the person who entered into the agreements at any time prior to graduation from the school of dental hygiene by making a single lump-sum payment equal to the total of (1) the entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas, plus (2) all amounts of interest thereon at the rate prescribed to the date of payment.

(e) The state board of regents shall remit all moneys received under this section to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the dental hygiene loan repayment fund.

New Sec. 16. (a) An obligation to engage in the practice of dental hygiene in accordance with an agreement under the dental hygienists student loan act shall be postponed: (1) During any required period of active military service; (2) during any period of service as a part of volunteers in service to America (VISTA); (3) during any period of service in the peace corps; (4) during any period of service commitment to the United States public health service; (5) during any period of religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; or (6) during any period of temporary medical disability during which the person obligated is unable because of such medical disability to practice dental hygiene. Except for clause (6) of this subsection (a), an obligation to engage in the practice of dental hygiene in accordance with an agreement under the dental hygienists student loan act shall not be postponed more than five years from the time the practice of dental hygiene was to have been commenced under any such agreement. An obligation to engage in the practice of dental hygiene in accordance with an agreement under the dental hygienists student loan act shall be postponed under clause (6) of this subsection (a) during the period of time the medical disability exists.

(b) An obligation to engage in the practice of dental hygiene in accordance with an agreement under the dental hygienists student loan act shall be satisfied: (1) If the obligation to engage in the practice of dental hygiene in accordance with an agreement under the dental hygienists student loan act has been completed, (2) if the person obligated dies, or (3) if, because of permanent physical disability, the person obligated is unable to practice dental hygiene.”;

And by renumbering sections accordingly;

In the title, in line 10, by striking “the dental practices act” and inserting “dentistry”; in line 11, after “fees” by inserting: “under the dental practices act; concerning seats in accredited schools of dentistry; relating to Kansas residents designated for admission to certain accredited schools of dentistry; requiring agreements for service commitments and repayment of certain amounts; providing student loans for certain dental hygiene students”;

And your committee on conference recommends the adoption of this report.

GARRY BOSTON
 JAMES F. MORRISON
 JUDY SHOWALTER
Conferees on part of House

SUSAN WAGLE
 JIM BARNETT
 DAVID HALEY
Conferees on part of Senate

On motion of Rep. Boston, the conference committee report on **SB 160** was adopted.

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

Yeas: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McClure, McCreary, McKinney, McLeland, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Gatewood, Landwehr, Mayans, Merrick, Vickrey.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 50**, submits the following report:

The House recesses from all of its amendments to the bill;

And your committee on conference recommends the adoption of this report.

GARRY BOSTON
 JAMES F. MORRISON
 JUDY SHOWALTER
Conferees on part of House

SUSAN WAGLE
 JIM BARNETT
 DAVID HALEY
Conferees on part of Senate

On motion of Rep. Boston, the conference committee report on **SB 50** was adopted.

On roll call, the vote was: Yeas 84; Nays 41; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Aurand, Beggs, Bethell, Boston, Campbell, Compton, Cook, Dahl, DeCastro, Dreher, Edmonds, Feuerborn, Flora, Freeborn, Garner, Gatewood, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, Huebert, Humerickhouse, Huy, Johnson, Kauffman, Krehbiel, Kuether, Landwehr, Larkin, Light, Lightner, Lloyd, Loganbill, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Miller, Minor, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Rehorn, Schwartz, Sharp, Showalter, Shriver, Shultz, Spangler, Stone, Tafanelli, Tanner, Thimesch, Toplikar, Weber, Wilk, D. Williams, Wilson.

Nays: Alldritt, Ballard, Ballou, Barnes, Benlon, Burroughs, Cox, Crow, Dillmore, DiVita, Faber, Findley, Flaharty, Gilbert, Henderson, Huff, Hutchins, Kirk, Klein, Kline, Lane, Levinson, M. Long, Merrick, Jim Morrison, E. Peterson, Powers, Pyle, Ray, Reardon, Ruff, Sloan, Storm, Swenson, Toelkes, Tomlinson, Vickrey, Wells, Welshimer, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 18**, submits the following report:

The House recedes from all of its amendments to the bill;

And your committee on conference recommends the adoption of this report.

KENNY A. WILK
MELVIN J. NEUFELD
MELVIN MINOR
Conferees on part of House

STEPHEN R. MORRIS
PAUL FELECiano, JR.
DAVID ADKINS
Conferees on part of Senate

On motion of Rep. Wilk, the conference committee report on **SB 18** was adopted.

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

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glascock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Faber, Gatewood, Vickrey.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 128**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House committee amendments, as follows:

On page 2, by striking all in lines 31 through 37;

And by renumbering sections accordingly;

On page 1, in the title, in line 15, by striking "elec-"; in line 16, by striking "tions" and inserting "election crimes"; also in line 16, after "imposing" by inserting "criminal";

And your committee on conference recommends the adoption of this report.

TONY POWELL
TED POWERS
RICHARD ALLDRITT
Conferees on part of House

JOHN VRATIL
DEREK SCHMIDT
GRETA GOODWIN

Conferees on part of Senate

On motion of Rep. T. Powell, the conference committee report on **SB 128** was adopted.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 37**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 27, by striking "On" and inserting "Subject to the provisions of subsection (h), on";

On page 2, after line 27, by inserting:

"(h) The provisions of this section shall not take effect until the United States environmental protection agency grants a waiver allowing the state of Kansas to control or prohibit the use of MTBE in motor-vehicle fuels. The secretary of health and environment shall apply for such waiver in a timely manner in order to obtain such waiver prior to July 1, 2004.";

And your committee on conference recommends the adoption of this report.

JOANN LEE FREEBORN
DON MYERS
VAUGHN L. FLORA

Conferees on part of House

ROBERT TYSON
DAVID R. CORBIN
JANIS K. LEE

Conferees on part of Senate

On motion of Rep. Myers, the conference committee report on **SB 37** was adopted.

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel,

Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeier, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Aday, Humerickhouse, Powers, Vickrey.

Present but not voting: None.

Absent or not voting: None.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2101**, submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

DEREK SCHMIDT
CHRISTINE DOWNEY
Conferees on part of House

DAN JOHNSON
DONALD L. DAHL
Conferees on part of Senate

On motion of Rep. Johnson to adopt the conference committee report on **HB 2101**, the motion did not prevail and the bill remains in conference.

On motion of Rep. Weber, the House went into Committee of the Whole, with Rep. Shultz in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **SB 191** be adopted; also, on motion of Rep. Landwehr to amend, the motion was withdrawn. Also, on further motion of Rep. Landwehr be amended on page 6, in line 19, by striking "an amount to match" and inserting "any amount not to exceed";

Also, on motion of Rep. McCreary **SB 191** be amended on page 2, in line 43, after "of", by inserting "sections 1 through 8 of";

On page 3, in line 3, after "in", by inserting "sections 1 through 7 of";

On page 5, in line 40, after "in", by inserting "sections 1 through 8 of";

On page 6, following line 20, by inserting a new section as follows:

"Sec. 9. The state board of education, upon being satisfied that an applicant for licensure to teach the industrial arts, including woodworking, metalworking, and welding, is qualified by experience in the field for which the applicant is seeking licensure to teach, shall exempt such applicant from a requirement that the applicant be the holder of an academic degree granted by a college, university or other educational institution of like standing. The state board of education shall adopt rules and regulations establishing the basic knowledge and experiential qualifications necessary to ensure that an applicant for licensure to teach the industrial arts specified in this section has the ability to assume the responsibilities of a teacher in the field for which licensure is sought.";

By renumbering sections 9 and 10 as sections 10 and 11, respectively;

In the title, in line 17, after the semicolon, by inserting "relating to licensure of industrial arts teachers;"

Also, on motion to recommend **SB 191** favorably for passage, the motion did not prevail.

REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **HB 2583** be amended on page 1, in line 41, by striking "of the public"; in line 43, by striking "of the public";

On page 2, in line 2, by striking "of the public"; in line 4, by striking "of the public"; and the bill be passed as amended.

The Committee on **Appropriations** recommends **SB 343** be amended on page 2, after line 38, by inserting the following:

"New Sec. 3. Capital improvement projects for financing facilities, equipment, technology and other capital improvements for the implementation and maintenance of the vital statistics integrated information system in the department of health and environment are hereby approved for the department of health and environment for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto and the authorization of one or more series of revenue bonds by the Kansas development finance authority in accordance with that statute.";

And by renumbering sections accordingly; and the bill be passed as amended.

The Committee on **Federal and State Affairs** recommends **SB 74** be amended on page 1, in line 14, before "Whenever" by inserting "(a)"; also in line 14, before "Native" by inserting "request is specifically directed to a"; in line 15, by striking "is requested"; following line 22, by inserting:

"When used in this subsection, "tribal law enforcement officer" shall mean a tribal law enforcement officer who has successfully completed (1) a state, local or federal law enforcement officer training program which has a course of instruction which is substantially equivalent to the course of instruction of law enforcement training programs for full-time law enforcement officers required by K.S.A. 74-5607a, and amendments thereto, and (2) annual training which is substantially equivalent to the annual training required by K.S.A. 74-5607a, and amendments thereto.

(b) The provisions of this section shall be applicable only if such Native American Indian tribe has entered into a valid and binding agreement with an insurance carrier to provide liability insurance to cover the acts, errors and omissions of such tribal law enforcement agency or officer while providing assistance pursuant to this section. Such insurance policy shall be in an amount not less than \$500,000 for any one person and \$2,000,000 for any one occurrence for personal injury and \$1,000,000 for any one occurrence for property damage. Such insurance policy shall be subject to verification by the attorney general. Such insurance policy shall include an endorsement providing that the insurer may not invoke tribal sovereign immunity up to the limits of the policy set forth herein.

(c) If a claim is brought against any tribal law enforcement agency or officer for acts committed by such agency or officer while providing assistance pursuant to this section and while such agency or officer is outside the jurisdiction of such agency or officer, such claim shall be subject to disposition as if the tribe was the state pursuant to the Kansas tort claims act, provided that such act shall not govern the tribe's purchase of insurance. The tribe shall waive its sovereign immunity solely to the extent necessary to permit recovery under the liability insurance, but not to exceed the policy limits.

(d) Nothing in this section shall be construed to grant any powers to tribal law enforcement agencies or tribal law enforcement officers beyond those specifically provided in this section.

(e) Nothing in this section shall be construed as a mandate on any law enforcement agency to enter into any agreement with any state, county or city law enforcement agency or to request assistance from any state, county or city law enforcement agency."; and the bill be passed as amended.

The Committee on **Taxation** recommends **NR 6012** be adopted.

The Committee on **Transportation** recommends **HCR 5032** be adopted.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6019

By Representative Minor

A RESOLUTION designating the Santa Fe Trail Center near Larned as the Official Santa Fe Trail History Museum in Kansas.

WHEREAS, The Santa Fe Trail Center near Larned is a regional museum dedicated to preserving and interpreting the history of the geographic area once known as the Santa Fe Trail. The trail was a great trade route which linked the United States with Mexico, and later with its own American southwest. The era of the Santa Fe Trail began in 1821, when Mexican independence from Spain opened up new trade opportunities for both American and Mexican merchants. Pulled by oxen and mules, commercial freight wagon trains crossed the plains until the railroad arrived near Santa Fe in 1880. This ended the Santa Fe Trail's freighting days and a new era began as settlers established homes, farms and ranches along the ruts of the old trail; and

WHEREAS, The Santa Fe Trail Center opened its doors in 1974 and was accredited by the American Association of Museums three years later, becoming one of the youngest museums in the nation to be granted such accreditation. A nonprofit organization, the center is locally owned and privately funded; and

WHEREAS, In 1991, the Santa Fe Trail Center was designated a certified site on the Santa Fe National Historic Trail. It was the second site on the trail and the first site in Kansas to receive this important designation by the National Park Service; and

WHEREAS, The museum's exhibits show the trail as a transportation route which blended the Indian, Spanish and American cultures. Displays include prehistoric Indian artifacts, a Wichita Indian grass lodge, a full sized mounted buffalo, a commercial freight wagon and an exhibit showing the Spanish influences on the trail; and

WHEREAS, The period of settlement along the ruts of the old trail, brought about by the coming of the railroad, is depicted in the museum by a series of rooms showing pioneer life in the early 1900's. An impressive collection of historic firearms showing the progression of weapons from flintlock to cartridge is also on display; and

WHEREAS, Outdoor exhibits on the Trail Center's 25-acre complex include a sod house, dugout home, limestone cooling house, one-room schoolhouse and a Santa Fe Railroad depot. On special occasions, living history programs provide visitors with an insight into early pioneer life; and

WHEREAS, It is appropriate to designate this facility as the Official Santa Fe Trail History Museum in Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Santa Fe Trail Center near Larned be designated the Official Santa Fe Trail History Museum in Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Ruth Olson Peters, Director, Santa Fe Trail Center, R.R. No. 3, Larned, Kansas 67550.

CHANGE OF CONFEREES

Speaker pro tem Aurand announced the appointment of Rep. Merrick as a member of the conference committee on **SB 35** to replace Rep. Huff.

REPORT ON ENROLLED RESOLUTIONS

HR 6017 reported correctly enrolled and properly signed on April 5, 2001.

On motion of Rep. Weber, the House adjourned until 10:00 a.m., Friday, April 6, 2001.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

