

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 3, 2003, 11:00 a.m.

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

The roll was called with 122 members present.

Rep. Gilbert was excused on verified illness.

Rep. Jack was excused on legislative business.

Rep. Neighbor was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Harold B. Murphy, pastor, St. Timothy Catholic Church, Chicago, IL, guest of Rep. Ruff, and brother of former Representative Jim Murphy:

Gracious God, life-giving source of all creation, hear our prayer for these men and women chosen by the people of Kansas to be the House of Representatives. Open their hearts and minds to the light of Your divine presence.

Who can understand the mysteries of life? Just three days ago, the people of our nation began another ordinary day. Then, in moments, the calm of the day was shattered by the tragic news of the Columbia disaster. Seven masters of the brilliant world of aerospace technology were lost in moments. All the world paused in wonder as the news of this incredible event spread. We were humbled by the experience of mystery.

As these representatives entrusted by the people of Kansas to govern this republic take up their work today, they are aware of the challenge to respond to the needs of their state in the midst of these troubling times. They must be wise in their deliberations and confident in their decisions. They must acknowledge the mysteries of life, but they must be decisive in moving forward into the future. They must honor the sacrifices which make men and women heroes, but they must work each day to build the world of law which strengthens the commonwealth. God of all ages, they need Your enlightening presence to inspire them in these dark days of our modern world. God our Father, help these Your children to act with courage and wisdom today and each day of their service to the people of Kansas.

We offer this prayer through Christ our Lord, Amen.

The Pledge of Allegiance was led by Rep. D. Johnson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2153. An act concerning schools; amending K.S.A. 72-1906, 72-5389, 72-6409, 72-6410, 72-6426, 72-6430, 72-6433, 72-8302, 72-8316, 72-8317, 72-89a01, 72-89b02, 72-89b03, 72-89c01 and 72-9606 and repealing the existing sections; also repealing K.S.A. 72-5436, 72-5437, 72-5438, 72-5439, 72-5440, 72-5441, 72-5442, 72-5443, 72-5444, 72-5445, 72-5446, 72-5447, 72-6421, 72-6423, 72-6425, 72-6427, 72-6428, 72-6429, 72-6439 and 72-8231, by Representative F. Miller.

HB 2154. An act concerning construction contracts; relating to indemnification provisions, by Committee on Insurance.

HB 2155. An act concerning dentists and dentistry, regarding temporary licensure of out-of-state dentists; amending K.S.A. 65-1426 and 65-1455 and repealing the existing sections, by Committee on Health and Human Services.

HB 2156. An act concerning professional corporations; amending K.S.A. 2002 Supp. 17-2707 and repealing the existing section, by Representative Compton.

HB 2157. An act relating to property taxes on mobile and manufactured homes; concerning obligations at the time of purchase, sale or moving, by Committee on Transportation.

HB 2158. An act concerning authorized emergency vehicles; designating wreckers, tow trucks or car carriers as authorized emergency vehicles; amending K.S.A. 8-1404, 8-2010 and 8-2010a and repealing the existing sections, by Committee on Transportation.

HB 2159. An act relating to vehicles; concerning the registration of certain vehicles; amending K.S.A. 8-1,134 and repealing the existing section, by Committee on Transportation.

HB 2160. An act concerning motor carriers; relating to certain fees; amending K.S.A. 66-1a01 and repealing the existing section, by Committee on Transportation.

HB 2161. An act regarding dentists and dentistry; relating to dental hygienists; amending K.S.A. 65-1456 and repealing the existing section, by Committee on Health and Human Services.

HB 2162. An act concerning income taxation; relating to tax credits for contributions to community service organizations; amending K.S.A. 2002 Supp. 79-32,197 and repealing the existing section, by Committee on Taxation.

HB 2163. An act concerning regulation and licensure of detective business; amending K.S.A. 2002 Supp. 75-7b07 and 75-7b13 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2164. An act concerning criminal use of weapons; amending K.S.A. 2002 Supp. 21-4201 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2165. An act concerning civil procedure; relating to worthless checks; amending K.S.A. 2002 Supp. 60-2610 and repealing the existing section, by Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION No. 5008—

By Committee on Health and Human Services

A CONCURRENT RESOLUTION urging the designation of school nurses as first responders.

WHEREAS, Subsequent to the terrorist attacks of September 11, 2001, anthrax was used as a bio-terrorist attack; and

WHEREAS, Children are more vulnerable to chemical agents than adults because children breathe more times a minute than adults; and

WHEREAS, A release of a biological or chemical agent would affect children first, they most likely will be the first to exhibit symptoms; and

WHEREAS, School children and teachers work in close proximity to other people; and

WHEREAS, An outbreak among children could prove to be a launching ground for a wider epidemic; and

WHEREAS, School nurses are a critical link in our nation's health and defense; and

WHEREAS, More than 47,000 nurses are in the nation's schools and would be instrumental as the first health care provider responding to affected children as well as alerting authorities so fewer health problems or deaths occur: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge state and local officials to designate school nurses as first responders to a biological or chemical attack; and

Be it further resolved: That state and local representatives remove any legal or regulatory barriers that would prevent a school nurse from responding to a biological or chemical attack; and

Be it further resolved: that the Secretary of State is directed to send an enrolled copy of this resolution to the state board of education, the board of nursing and the Kansas Department of Health and Environment.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Ethics and Elections: **HB 2146, HB 2149.**

Federal and State Affairs: **SB 2.**

Financial Institutions: **SB 8.**

Higher Education: **HB 2145.**

Judiciary: **SB 16, SB 34.**

Local Government: **HB 2151.**

Taxation: **HB 2147, HB 2148.**

Transportation: **HB 2143, HB 2144, HB 2150, HB 2152.**

MESSAGE FROM THE GOVERNOR

February 3, 2003

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

Enclosed herewith is Executive Order No. 2003-01 for your information.

EXECUTIVE ORDER NO. 2003-01
Concerning the Space Shuttle Columbia Disaster

KATHLEEN SEBELIUS
Governor

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

COMMUNICATIONS FROM STATE OFFICERS

From John Wine, Chair, Kansas Corporation Commission, pursuant to K.S.A. 66-177b, 2002 Report to the Legislature which can be viewed at http://www.kcc.state.ks.us/03_legis_rpt.pdf.

From Barbara Tombs, Executive Director, Kansas Sentencing Commission, pursuant to K.S.A. 74-9101(b)(15), 2003 Report to the Legislature.

From Lynn Jenkins, CPA, State Treasurer, Annual Report to the Legislature for fiscal year 2002.

From Dale Finger, Associate Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report to the Legislature regarding the status of the KBI State Forfeiture Fund.

From the Kansas Department of Administration, Division of Personnel Services, 2002 Annual Report.

From the Kansas Department of Health and Environment, Bureau of Waste Management, pursuant to K.S.A. 65-3460, Kansas Household Hazardous Waste Program, SFY - 2002, Report to the Legislature.

From the Kansas Department of Health and Environment, Division of Environment, Kansas Water Pollution Control Revolving Loan Fund, Annual Report for Federal Fiscal Year 2002.

From Ronald F. Hammerschmidt, Ph.D., Director, Division of Environment, Kansas Department of Health and Environment, as required by K.S.A. 65-163k, Kansas Public Water Supply Loan Fund, Annual Report for Fiscal Year 2002.

From Terry D. Bernatis, Acting Health Benefits Administrator, Kansas Department of Administration, in compliance with K.S.A. 75-6509, Kansas Employees Health Care Benefits Program Annual Report.

From the Kansas Department of Health and Environment, Bureau of Waste Management, pursuant to K.S.A. 65-3415a (h), Kansas Solid Waste Program, A Review of Program Revenue and Expenditures in FY 2002.

From Judge Frank J. Yeoman, Jr., Board of Directors, Kansas Guardianship Program, pursuant to K.S.A. 74-9601 et seq., as amended, 2002 Annual Report.

From Patricia Michaelis, State Archivist, Secretary, State Records Board, Annual Report for Fiscal Year 2002.

From E. Dean Carlson, Secretary of Transportation, Kansas Department of Transportation Annual Report, January 2003.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2031** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Ballou announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Tuesday, February 4, 2003.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

