

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 7, 2003, 10:30 a.m.

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

The roll was called with 118 members present.

Rep. Gilbert was excused on verified illness.

Rep. Osborne was excused on legislative business.

Reps. Compton, Davis, Loyd, Neufeld and O'Neal were excused on excused absence by the Speaker.

Prayer by guest chaplain, The Very Reverend Steve Lipscomb, Dean, Grace Episcopal Cathedral, Topeka:

O God, the fountain of wisdom, whose will is good and gracious, and whose law is truth: We beseech you so to guide and bless our Representatives assembled in the legislature of this state, that they may enact such laws as shall please you, to the glory of your name and for the welfare of your people. This we pray in your Holy Name. Amen.

The Pledge of Allegiance was led by Rep. Dreher.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2232, An act relating to insurance; relating to an informal deductible for certain medical claims under workers compensation; amending K.S.A. 44-559a and repealing the existing section, by Committee on Insurance.

HB 2233, An act enacting the uniform prescription drug information card act, by Committee on Insurance.

HB 2234, An act relating to the behavioral sciences; licensure reciprocity; amending K.S.A. 65-5807, 65-6309, 65-6406 and 74-5315 and repealing the existing sections, by Committee on Health and Human Services.

HB 2235, An act regulating traffic; concerning sun screening devices; exception; amending K.S.A. 8-1749a and repealing the existing section, by Committee on Transportation.

HB 2236, An act concerning taxation; relating to classification of cities for purposes of levying sales and excise taxes; amending K.S.A. 12-188 and repealing the existing section, by Committee on Taxation.

HB 2237, An act concerning taxation; relating to local retailers' sales tax authority in Jackson county; amending K.S.A. 2002 Supp. 12-187 and 12-189 and repealing the existing sections, by Committee on Taxation.

HB 2238, An act concerning sales taxation; relating to exemption for Dream Work, Inc.; amending K.S.A. 2002 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2239, An act concerning taxation; relating to sales tax exemptions; governmental and school related activities; amending K.S.A. 2002 Supp. 79-3603 and 79-3606 and repealing the existing sections, by Committee on Taxation.

HB 2240, An act concerning children in need of care; relating to records and reports; amending K.S.A. 38-1508 and K.S.A. 2002 Supp. 38-1507 and repealing the existing sections, by Representative Huy.

HB 2241, An act concerning accountants and accountancy; regarding examination fees; amending K.S.A. 1-301 and repealing the existing section, by Committee on Commerce and Labor.

HB 2242, An act concerning accountants and accountancy; relating to investigations, by Committee on Commerce and Labor.

HB 2243, An act concerning accountants and accountancy; relating to education requirements and examinations; amending K.S.A. 1-302a and 1-304 and repealing the existing sections; also repealing K.S.A. 1-306, by Committee on Commerce and Labor.

HB 2244, An act relating to the state corporation commission; concerning motor carriers and railroads; amending K.S.A. 8-142, 8-2107, 32-1009, 44-503c, 60-305a, 65-1626, 65-4101, 65-4116, 65-7004, 66-1,105, 66-1,108, 66-1,109, 66-1,111, 66-1,112, 66-1,112h, 66-1,114, 66-1,114b, 66-1,115, 66-1,115a, 66-1,116, 66-1,119, 66-1,126, 66-1,128, 66-1,129, 66-1,129a, 66-1,130, 66-1,139, 66-1,140, 66-1313a, 79-6a01, 79-6a02 and 79-6a03 and K.S.A. 2002 Supp. 8-2,127 and repealing the existing sections; also repealing K.S.A. 66-1,112a, 66-1,112b, 66-1,112c, 66-1,112d, 66-1,112e and 66-1,112f, by Committee on Transportation.

HB 2245, An act concerning weights and measures; relating to standards of commercial weighing and measuring devices; amending K.S.A. 2002 Supp. 83-202 and repealing the existing section, by Committee on Agriculture.

HB 2246, An act concerning solid waste; relating to permit requirements; amending K.S.A. 65-3407 and repealing the existing section, by Representative McCreary.

HB 2247, An act concerning environmental contamination of real property; providing for prohibition or restriction of activities on and use of such property, by Committee on Environment.

HB 2248, An act concerning lead poisoning; repealing the sunset provision of K.S.A. 65-1,214, by Committee on Health and Human Services.

HB 2249, An act concerning county treasurers; relating to motor vehicle registration and title fees; amending K.S.A. 2002 Supp. 8-145 and repealing the existing section, by Representatives Landwehr and Klein.

HB 2250, An act concerning property taxation; exempting property of certain domestic and fraternal societies, orders or associations; amending K.S.A. 2002 Supp. 79-201 and repealing the existing section, by Committee on Taxation.

HB 2251, An act concerning solid waste; amending K.S.A. 65-3415a and 65-3415b and repealing the existing sections, by Committee on Taxation.

HB 2252, An act concerning taxation; relating to sales tax exemptions; nonprofit and charitable activities; amending K.S.A. 2002 Supp. 79-3603 and 79-3606 and repealing the existing sections, by Committee on Taxation.

HB 2253, An act concerning school districts; relating to disorganization and consolidation thereof; imposing certain duties on the state board of education, by Representative Mason.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2225; SB 47, SB 52.**

Corrections and Juvenile Justice: **SB 14, SB 31.**

Education: **HB 2229, HB 2231.**

Environment: **HB 2218, HB 2219, HB 2223.**

Federal and State Affairs: **HB 2226, HB 2227, HB 2228.**

Financial Institutions: **HB 2224.**

Insurance: **SB 26.**

Judiciary: **SB 17, SB 18, SB 19.**

Transportation: **HB 2220, HB 2221, HB 2222, HB 2230.**

CHANGE OF REFERENCE

Speaker Mays announced the withdrawal of **HB 2217** from Committee on Corrections and Juvenile Justice and referral to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

February 6, 2003

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

Enclosed herewith is Executive Order No. 2003-02 for your information.

EXECUTIVE ORDER NO. 2003-02
 Relating to Kansas Communication Services Directory
 KATHLEEN SEBELIUS
 Governor

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

MESSAGE FROM THE GOVERNOR

February 6, 2003

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

Enclosed herewith is Executive Order No. 2003-03 for your information.

EXECUTIVE ORDER NO. 2003-03
 Relating to Employee Usage of Kansas Agency Networks
 KATHLEEN SEBELIUS
 Governor

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

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 6**, requests a conference and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 6**.

Speaker Mays thereupon appointed Reps. Neufeld, Shultz and Shriver as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2055** appearing on the Consent Calendar for the first day.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Shultz, the House nonconcurrred in Senate amendments to **S. Sub. for HB 2026** and asked for a conference.

Speaker Mays thereupon appointed Reps. Neufeld, Shultz and Nichols as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture** recommends **HB 2038** be amended on page 2, in line 34, by striking "nine" and inserting "10"; in line 38, by striking "and"; also in line 38, after "member" by inserting "; and the state fire marshal or the state fire marshal's designee who shall serve as an ex officio member";

On page 3, in line 42, after the period by inserting "In developing programs and projects and entering into contracts or agreements for implementing the provisions of this act, the council shall not use any funds collected by the council to provide for or assist the purchase of equipment related to such programs and projects by or for a private, for profit corporation or other business association or entity.";

On page 4, after line 3, by inserting the following:

"(j) The council shall report annually to the house and senate committees on agriculture. Such report shall include details of council programs, projects and activities as provided pursuant to this act.";

Also on page 4, in line 9, by striking “½” and inserting “³/₁₀ of one”; in line 10, by striking “, unless approved by the council”; and the bill be passed as amended.

The Committee on **Ethics and Elections** recommends **HB 2134** be amended on page 2, in line 12, by striking “or other accessories”; also in line 12, by striking all after “worn”; in line 13, by striking all preceding “by”; also in line 13, following “official” by inserting “primarily”; and the bill be passed as amended.

The Committee on **Higher Education** recommends **HB 2014** be amended on page 6, in line 7, by striking “Kansas public employees”; in line 8, by striking “retirement system” and inserting “state board of regents”;

On page 7, in line 1, following “compensation”, by inserting “and expenses allowance under subsections (a) and (b) of K.S.A. 46-137a and amendments thereto”; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 37, by Representative Meyers, representing the Sedgwick County Delegation congratulating the Medical Society of Sedgwick County;

Request No. 38, by Representative Powell, congratulating Kara L. Schartz on achieving membership in Washburn University President’s Honors Program;

Request No. 39, by Representatives Beggs, Horst and Svaty, honoring Phillip P. Kerstetter, Ph.D. and Kansas Wesleyan University in Salina on his inauguration as President;

Request No. 40, by Representative Yoder, congratulating Emily L. Richardson on achieving membership in Washburn University President’s Honors Program;

Request No. 41, by Representative Burroughs, congratulating Lena and Bob Burnett on their 50th wedding anniversary;

Request No. 42, by Representative Hayzlett, in memory of Otis Jennings, great American cowboy;

Request No. 43, by Representative Dreher, congratulating Floyd and Shirley Scheer, Bill and Babe Collins and Dwight and Ina June Combs on their 50th wedding anniversaries;

Request No. 44, by Representative Gordon, commending Sarah Sellers for her generosity in donating \$10,000 from sales of her CD to Midland Hospice;

Request No. 45, by Representative Schwartz, congratulating Charles and Grace Mueller on their 60th wedding anniversary;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Aurand, the committee report was adopted.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Monday, February 10, 2003.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

