

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 28, 2003, 9:45 a.m.

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

The roll was called with 122 members present.

Reps. Goico and Sawyer were excused on legislative business.

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

Prayer by the Most Reverend James Patrick Keleher, S.T.D., Archbishop of Kansas City in Kansas:

Heavenly Father, we recall that small group of dispirited and confused disciples that gathered in the upper room after your Son's departure. When of a sudden on that Pentecost Sunday a great wind was heard and the building shook and tongues of fire appeared and behold the Holy Spirit descended upon them and with that mighty presence everything changed for the better though not always easier.

Father, the marvelous Holy Spirit brought into that chamber of disciples the gift of wisdom so they might know what to do; the Spirit brought into that chamber the gift of strength so that knowing what to do they might have the courage to carry it out, and, finally, the Spirit of love brought a wonderful bond of unity so that they would hold each other in mutual respect and understanding — despite their differences — for the rest of their lives.

And so my prayer, Heavenly Father, is for these men and women in this historic chamber that the same Spirit may descend upon them today and for the rest of their work this year.

May The Spirit give them the wisdom and insight they need to match scarce resources and great demands with compassion especially for the underserved and needy; may the Spirit fill them with the courage to move ahead with tough decisions no matter what the outcry; may the Spirit assist them in maintaining a bond of unity for the sake of the Kansas citizens they represent; may they deal with their differences in honest but respectful ways.

May they realize also that we are in the midst of the great forty days of Lent when your Son, Our Lord, fasted and prayed and so remind them, Heavenly Father, that He prays for them now in this hour of decision and He sends them His Spirit so that they may carry out their awesome responsibilities for the glory of God and the welfare of this great State of Kansas.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine on your windowpane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near you.

May God fill your heart with gladness to cheer you.

The Pledge of Allegiance was led by Rep. Larkin.

PRESENTATION OF PETITIONS

The following petition was presented and filed:

HP 2002, by Rep. Betts, a petition demanding a stop to the massive imprisonment of Africans in Sedgwick county, signed by Bernard McFarthing and 550 others from Sedgwick county.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 263**.

Taxation: **HB 2464**.

MESSAGE FROM THE SENATE

Announcing adoption of **HCR 5021**.

Announcing rejection of **HB 2113**.

The Senate nonconcurrs in House amendments to **H. Sub. for SB 27**, requests a conference and has appointed Senators Vratil, Allen and Goodwin as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 61**, requests a conference and has appointed Senators Vratil, Oleen and Goodwin as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 64**, requests a conference and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 71**, requests a conference and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **Sub. SB 83**, requests a conference and has appointed Senators Umbarger, Vratil and Hensley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 103**, requests a conference and has appointed Senators Allen, O'Connor and Gilstrap as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 131**, requests a conference and has appointed Senators Schmidt, Huelskamp and Downey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 178**, requests a conference and has appointed Senators Allen, O'Connor and Gilstrap 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 **H. Sub. for SB 27**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 61**.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 64**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 71**.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **Sub. SB 83**.

Speaker Mays thereupon appointed Reps. Decker, Beggs and Crow as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 103**.

Speaker Mays thereupon appointed Reps. Myers, Powers and Wilson as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 131**.

Speaker Mays thereupon appointed Reps. D. Johnson, Powell and J. Miller as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 178**.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Faber moved, pursuant to House Rule 2303, that the House reconsider its adverse action in not passing **SB 79** on Final Action (see HJ, p. 421). The motion did not prevail.

CONSENT CALENDAR

No objection was made to **HB 2416** 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

HB 2416, An act concerning taxation; relating to amnesty from assessment or payment of penalties and interest on certain unpaid taxes; procedures and requirements of program, was considered on final action.

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

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed.

HB 2287, An act concerning property taxation; relating to classification of and exemption for property used partially for bed and breakfast purposes; amending K.S.A. 79-1439 and K.S.A. 2002 Supp. 79-201c and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 23; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballou, Barbieri-Lightner, Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Feuerborn, Flaharty, Freeborn, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kauffman, Krehbiel, Landwehr, Light, Loganbill, M. Long, P. Long, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps,

Powell, Powers, Reardon, Ruff, Schwab, Schwartz, B. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Aurand, Betts, Dillmore, Dreher, Flora, Gatewood, Jack, Kassebaum, Kirk, Klein, Kuether, Larkin, Loyd, J. Miller, Nichols, O'Neal, Pottorff, Rehorn, Reitz, S. Sharp, Shriver, Ward, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed.

HB 2418, An act concerning courts; relating to the court of appeals; concerning the judicial branch budget; amending K.S.A. 75-3718 and 75-3721 and K.S.A. 2002 Supp. 20-158, 20-3002 and 20-3006 and repealing the existing sections; also repealing K.S.A. 2002 Supp. 20-3005, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Barbieri-Lightn, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Loyd.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 7, An act concerning educational institutions; concerning educational benefits; concerning technical colleges; relating to the governing body thereof; relating to the powers and duties thereof; relating to the powers and duties of the state board of regents; amending K.S.A. 72-4470 and K.S.A. 2002 Supp. 75-2319 and 75-4364 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 19; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, Decker, Dreher, Edmonds, Faber, Feuerborn, Flora, Freeborn, Gatewood, Goering, Gordon, Grant, Hayzlett, Henderson, Hill, Holland, Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Jack, D. Johnson, E. Johnson, Kassebaum, Kirk, Kuether, Landwehr, Larkin, Light, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Reardon, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Betts, DeCastro, Dillmore, Flaharty, Gilbert, Henry, Howell, Huy, Kauffman, Klein, Krehbiel, Loganbill, F. Miller, Osborne, Powers, Rehorn, Shriver, Swenson, Ward.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 14, An act concerning providers of care services; employment of persons by such providers; amending K.S.A. 65-5117 and K.S.A. 2002 Supp. 39-970 and repealing the existing sections, was considered on final action.

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

Yeas: Aurand, Ballou, Barbieri-Lightn, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 33, An act regulating traffic; concerning driving under the influence of alcohol or drugs; relating to certain speed limits; amending K.S.A. 8-1558 and K.S.A. 2002 Supp. 8-1567 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Reitz, Ruff, Schwab, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Faber, Klein, Rehorn, Schwartz.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Known as Casey's Law, **SB 33** allows a judge the opportunity to impound or immobilize the motor vehicle of a person convicted of driving under the influence of alcohol. This legislation was created in memory of Casey Beaver who will killed by a drunk driver who had been convicted eight different times of driving under the influence of alcohol. About one third of those arrested or convicted of a DUI are repeat offenders. Passage of this bill allows judges another tool to impress upon those repeat DUI offenders that our society is very serious about controlling individuals who choose to drink alcohol and then drive. Because of these factors we support, for Casey, and other victims, **SB 33**.—JERRY HENRY, SYDNEY CARLIN, LEE TAFANELLI, L. CANDY RUFF, JANICE L. PAULS

MR. SPEAKER: I am pleased to vote in favor of **SB 33**, also known as "Casey's Law." Casey Beaver's life was taken by a drunk driver with eight prior convictions. Perhaps this

bill will help prevent such needless tragedies in the future. I am proud that our House has passed this bill.—JEFF JACK

SB 63. An act concerning state boards and commissions, renaming the law enforcement telecommunications committee; amending K.S.A. 74-5701, 74-5702, 74-5703, 74-5704 and 74-5706 and repealing the existing sections, was considered on final action.

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

Yeas: Aurand, Ballou, Barbieri-Lightn, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed.

SB 67. An act relating to children and minors; concerning open records in the event of a child fatality; amending K.S.A. 38-1508 and K.S.A. 2002 Supp. 38-1507 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 10; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Feuerborn, Flaharty, Freeborn, Gatewood, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Krehbiel, Landwehr, Larkin, Light, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Barbieri-Lightn, Betts, Crow, Faber, Flora, Gilbert, Klein, Kuether, Loganbill, Rehorn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 91. An act concerning law enforcement; relating to the law enforcement training center; qualifications and officer training requirements; amending K.S.A. 74-5605 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 24; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Barbieri-Lightn, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Feuerborn, Flaharty, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Jack, D. Johnson, E. Johnson, Kassebaum, Krehbiel, Landwehr, Larkin, Light, Loganbill, M.

Long, Loyd, Mason, McCreary, McKinney, McLeland, Merrick, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, O'Neal, Osborne, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Reardon, Reitz, Ruff, Schwab, Schwartz, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Ballou, Carter, Crow, Faber, Flora, Freeborn, Gatewood, Howell, Huebert, Huy, Kauffman, Kirk, Klein, Kuether, P. Long, Mays, F. Miller, Nichols, Ostmeyer, Powers, Rehorn, B. Sharp, Ward, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed.

Sub. SB 104. An act relating to public utilities; concerning prior determination of rate-making principles and treatment by the corporation commission, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Winn, Yoder, Yonally.

Nays: Crow, Dillmore, Howell, Minor, Schwartz, Shriver.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The substitute bill passed, as amended.

SB 110. An act concerning securities; relating to certain unlawful acts and penalties therefor; investigation by commission; civil penalties; amending K.S.A. 17-1264 and 17-1265 and K.S.A. 2002 Supp. 17-1253, 17-1254, 17-1255 and 17-1266a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 1; Absent or not voting: 3.

Yeas: Aurand, Ballou, Barbieri-Lightn, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Carter, Howell.

Present but not voting: Landwehr.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 123, An act concerning crimes and punishment; relating to possession of drugs; mandatory treatment; amending K.S.A. 65-4160 and K.S.A. 2002 Supp. 21-4603d, 21-4705, 21-4714, 22-3716 and 75-5291 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 48; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Beggs, Betts, Boyer, Burroughs, Campbell, Carlin, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Dreher, Feuerborn, Flaharty, Flora, Gilbert, Grant, Henderson, Henry, Hill, Holland, Horst, Huff, Humerickhouse, Huntington, Jack, D. Johnson, Kassebaum, Kirk, Klein, Kuether, Light, Loganbill, M. Long, Loyd, Mason, McCreary, McKinney, J. Miller, Minor, Nichols, Novascone, O'Malley, O'Neal, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Reardon, Rehorn, Reitz, Ruff, B. Sharp, S. Sharp, Showalter, Shriver, Sloan, Storm, Svaty, Swenson, Thimesch, Thull, Toelkes, Ward, Wilk, J. Williams, Wilson, Winn, Yonally.

Nays: Ballou, Barbieri-Lightner, Bethell, Brunk, Burgess, Carter, Compton, Dahl, Edmonds, Faber, Freeborn, Gatewood, Goering, Gordon, Hayzlett, Holmes, Howell, Huebert, Hutchins, Huy, E. Johnson, Kauffman, Krehbiel, Landwehr, Larkin, P. Long, Mays, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Osborne, Ostmeyer, Powell, Powers, Schwab, Schwartz, Shultz, Siegfried, Tafanelli, Vickrey, D. Williams, Yoder.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Do the changes in **SB 123** serve to better protect innocent victims? That must be our only concern.

Supporters say this is not a "soft-on-crime" bill. Yet I fear that someone's child, sibling, or parent will become the victim of a convicted felon who would be in jail under current law but will not be if this bill passes.

It only takes one innocent victim who didn't have to be to make this bill "soft-on-crime." Some may be willing to take the chance that this situation never occurs. I am not. I respectfully vote no on **SB 123**.—DAN WILLIAMS, ERIC CARTER, JOE MCLELAND

MR. SPEAKER: I vote no on **SB 123**. While I agree that mandatory treatment relating to possession of illegal drugs may be a good course of action to help turn people's lives around and make them contributing members of society, I am concerned about lack of funding for this program. Making laws that can't be enacted makes no sense.—LANA GORDON

MR. SPEAKER: The prison recidivism rate continues to increase among non-violent drug offenders in Kansas. Communities are faced with a problem that state prisons failed to fix. Prison wasn't designed to rehabilitate, but to punish, eventually costing taxpayers more. The system has not assured that punishment works. **SB 123** is not soft on crime, but smart on crime. This measure will provide adequate rehabilitation to the drug offender and will extend counseling support to the family. This policy will save lives, communities, and send a message that we are working smarter to see that Kansans receive the best for the future. I vote yes on **SB 123**!—DONALD BETTS JR.

MR. SPEAKER: I vote yes for **SB 123**, which provides a mechanism for drug treatment for non-violent drug offenders. Drug addiction is a large and growing problem in Labette County. Methamphetamine addiction causes otherwise good people to throw away their friends, their jobs and their families, even under the threat of prison, because of their dependence on this dangerous drug. We must break the cycle of addiction; perhaps **SB 123** will be the first step.—JEFF JACK

MR. SPEAKER: While I vote "no" on **SB 123**, I do support exploring options for expanded substance abuse treatment. I vote against this bill because it empties prison beds and reduces sentences for offenders whose presence in our state may put our communities at risk. I am concerned that the debate surrounding this legislation has focused on budget policy rather than public safety. I do not believe that the solution to our crowded prisons is to incarcerate

fewer offenders and I therefore vote “no.”—DEAN NEWTON, KEVIN YODER, LEE TAFANELLI, SHARON SCHWARTZ, CINDY NEIGHBOR, BOB BETHELL

MR. SPEAKER: Currently, 85% of non-violent felons convicted of drug possession are sentenced to probation. Whether sent to probation or prison, treatment to overcome drug addiction is not mandated to be part of their sentence. I vote YES on **SB 123** because it contains a carrot — drug treatment — and a stick — eventual prison. Under **SB 123**, non-violent offenders will be sentenced to drug treatment after their first and second convictions of drug possession. If subsequent convictions occur, they will be sent to prison. **SB 123** will help cure addicted Kansans and will ensure repeat offenders are sent to prison.—EDWARD O’MALLEY, PAUL DAVIS, STEPHANIE SHARP

MR. SPEAKER: As a husband, a father, and a grandfather, I must vote no on **SB 123**. Keeping our families safe, means sending criminals to prison. All of us want our neighborhoods to be safe, but refusing to lock up drug users defeats that purpose.

The Legislature should not and must not be pressured into reducing sentences on criminals in the name of prison overcrowding. The cure proposed to us today, is truly worse than the disease. The threat to our communities is real. The risk of harm to our families, friends, and neighbors is almost certain. The cost of losing a loved one in the comparison of saving a prison bed is a price I am not willing to pay.

I strongly believe that there is no choice when it comes to voting on this bill. I vote no on **SB 123**.—DOUG MAYS

Sub. SB 144. An act concerning insurance; relating to the use of credit scores in issuing certain policies, was considered on final action.

On roll call, the vote was: Yeas 57; Nays 64; Present but not voting: 1; Absent or not voting: 3.

Yeas: Ballou, Bethell, Betts, Burgess, Burroughs, Carlin, Cox, Crow, Davis, Dillmore, Edmonds, Feuerborn, Flaharty, Flora, Gatewood, Gilbert, Grant, Henderson, Henry, Holland, Holmes, Horst, Jack, Kassebaum, Kirk, Klein, Kuether, Larkin, Loganbill, M. Long, McKinney, J. Miller, Minor, Nichols, O’Malley, Pauls, Peterson, Phelps, Reardon, Rehorn, Ruff, B. Sharp, Showalter, Shriver, Shultz, Sloan, Storm, Svaty, Swenson, Thimesch, Thull, Toelkes, Vickrey, Ward, J. Williams, Wilson, Winn.

Nays: Aurand, Barbieri-Lightner, Beggs, Boyer, Brunk, Campbell, Carter, Compton, Craft, Dahl, DeCastro, Decker, Dreher, Faber, Freeborn, Goering, Gordon, Hayzlett, Hill, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, D. Johnson, E. Johnson, Kauffman, Krehbiel, Light, P. Long, Loyd, Mason, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O’Neal, Osborne, Ostmeyer, Owens, Patterson, Pottorff, Powell, Powers, Reitz, Schwab, Schwartz, S. Sharp, Siegfried, Tafanelli, Wilk, D. Williams, Yoder, Yonally.

Present but not voting: Landwehr.

Absent or not voting: Ballard, Goico, Sawyer.

The substitute bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote “No” on **H. Sub. for SB 144**. House COW amendments to the bill would impose expensive and unprecedented burdens and costs on insurers doing business in this state. All these costs will ultimately be passed on to our constituents. The reporting provisions would, for the first time, require the Kansas Insurance Commissioner to gather data on race and income of Kansas policyholders. No other state has imposed similar burdens. As amended by the House Insurance Committee, **H. Sub. for SB 144** contained adequate reporting requirements. I could support that version. I vote “No.”—MICHAEL R. O’NEAL, DEAN NEWTON

MR. SPEAKER: To require insurance companies to provide data to the Insurance Commissioner to help regulate insurance credit scoring is good for consumers of Kansas. Asking the insurance industry to pay for it is not unfair. Consumers are already paying premiums based on personal data that might be discriminatory. Kansans should demand an end to industry secrets, that may be costing them additional dollars in higher premiums. I vote “yes” on **H. Sub. for SB 144**.—BONNIE SHARP, BOB GRANT, MARGARET LONG

H. Sub. for SB 145. An act concerning the Kansas pet animal act; relating to seizure and impoundment of animals, was considered on final action.

On roll call, the vote was: Yeas 64; Nays 58; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Bethell, Betts, Boyer, Campbell, Carlin, Cox, Crow, Davis, Dillmore, Edmonds, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Grant, Henry, Hill, Holland, Huff, Humerickhouse, Jack, D. Johnson, Kassebaum, Kirk, Klein, Krehbiel, Kuether, Loganbill, M. Long, Loyd, J. Miller, Minor, Neighbor, Nichols, O'Malley, Owens, Pauls, Peterson, Phelps, Pottorff, Reardon, Rehorn, Ruff, B. Sharp, S. Sharp, Showalter, Shriver, Siegfried, Sloan, Storm, Svaty, Swenson, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, J. Williams, Wilson, Winn.

Nays: Ballou, Barbieri-Lightner, Beggs, Brunk, Burgess, Burroughs, Carter, Compton, Craft, Dahl, DeCastro, Decker, Dreher, Faber, Goering, Gordon, Hayzlett, Henderson, Holmes, Horst, Howell, Huebert, Huntington, Hutchins, Huy, E. Johnson, Kauffman, Landwehr, Larkin, Light, P. Long, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Patterson, Powell, Powers, Reitz, Schwab, Schwartz, Shultz, Tafanelli, D. Williams, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The substitute bill passed.

SB 206. An act concerning civil procedure; relating to habeas corpus; amending K.S.A. 60-1507 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 20; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballou, Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Dahl, DeCastro, Decker, Dillmore, Dreher, Faber, Feuerborn, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Landwehr, Larkin, Light, M. Long, P. Long, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Phelps, Pottorff, Powell, Powers, Reardon, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Barbieri-Lightner, Betts, Crow, Davis, Edmonds, Flaharty, Flora, Holland, Kirk, Klein, Krehbiel, Kuether, Loganbill, Loyd, Nichols, Pauls, Peterson, Rehorn, Storm, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed.

SB 225. An act relating to physical therapy; providing for licensure of physical therapists; amending K.S.A. 7-121b, 40-2,111, 60-513d, 60-2609, 65-1501, 65-1902, 65-2891, 65-2901, 65-2903, 65-2904, 65-2905, 65-2906, 65-2909, 65-2910, 65-2911, 65-2912, 65-2913, 65-2914, 65-2916, 65-2918, 65-2919, 65-4915, 65-4921, 65-5418 and 65-5912 and K.S.A. 2002 Supp. 17-2707, 21-3721 and 40-3401 and repealing the existing sections; also repealing K.S.A. 65-2902, 65-2907, 65-2908 and 65-2915, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 15; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Feuerborn, Flaharty, Flora, Gatewood, Gilbert, Goering, Gordon, Grant, Henderson, Hill, Holland, Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson,

Phelps, Pottorff, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Aurand, Carter, Compton, Edmonds, Faber, Freeborn, Hayzlett, Henry, Howell, Landwehr, McKinney, Neufeld, Powell, Schwartz, Wilk.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

SB 235, An act concerning cities and counties; relating to the powers and duties thereof; relating to tax increment financing and sales tax revenue bonds; relating to redevelopment of certain property located throughout the state; amending K.S.A. 12-1770a, 12-1774, 19-2680, 19-2686 and 74-8936 and K.S.A. 2002 Supp.19-2681, 19-2685 and 79-3620 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 65; Nays 57; Present but not voting: 0; Absent or not voting: 3.

Yeas: Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Cox, Craft, Davis, Decker, Flaharty, Gordon, Henderson, Hill, Holland, Holmes, Horst, Huff, Humerickhouse, Huntington, Hutchins, Jack, D. Johnson, E. Johnson, Kassebaum, Kirk, Klein, Larkin, Light, Loyd, Mason, Mays, McKinney, J. Miller, Judy Morrison, Neighbor, Newton, O'Malley, O'Neal, Osborne, Owens, Patterson, Pauls, Phelps, Reitz, Schwab, B. Sharp, S. Sharp, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Toelkes, Wilk, D. Williams, J. Williams, Yoder, Yonally.

Nays: Aurand, Ballou, Barbieri-Lightner, Betts, Compton, Crow, Dahl, DeCastro, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flora, Freeborn, Gatewood, Gilbert, Goering, Grant, Hayzlett, Henry, Howell, Huebert, Huy, Kauffman, Krehbiel, Kuether, Landwehr, Loganbill, M. Long, P. Long, McCreary, McLeland, Merrick, F. Miller, Minor, Jim Morrison, Myers, Neufeld, Nichols, Novascone, Ostmeyer, Peterson, Pottorff, Powell, Powers, Reardon, Rehorn, Ruff, Schwartz, Showalter, Thimesch, Thull, Vickrey, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: The speedway project in Kansas City was essentially a 300 million dollar state appropriation. A good appropriation but an appropriation none the less.

However, this appropriation was not made by the Secretary of Commerce. It was made by the Kansas Legislature.

It is our responsibility to appropriate and tax. By passing this legislation we both shirk our constitutional duties and belittle ourselves.

As the most responsive body in the most responsive branch of government—and often the only voice of the people in this State, the Kansas House should never willingly surrender its authority to the executive branch. I vote no on **SB 235**.—RICK REHORN, ANNIE KUETHER

SB 237, An act relating to the redevelopment of property located within a federal enclave in Johnson and Labette counties; authorizing certain powers, including tax increment financing and sales tax revenue bonds; relating to projects of the Kansas development finance authority; amending K.S.A. 74-8902, 74-8905, 74-8921, 74-8922, 74-8923, 74-8924, 74-8925, 74-8927 and 74-8929 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 63; Nays 59; Present but not voting: 0; Absent or not voting: 3.

Yeas: Barbieri-Lightner, Beggs, Boyer, Brunk, Burroughs, Campbell, Carter, Cox, Craft, Davis, DeCastro, Feuerborn, Gatewood, Gilbert, Goering, Gordon, Hill, Holland, Holmes, Huff, Huntington, Jack, D. Johnson, E. Johnson, Kassebaum, Larkin, Light, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, J. Miller, Jim Morrison, Judy Morrison, Neighbor, Newton, Novascone, O'Malley, O'Neal, Owens, Patterson, Pauls, Pot-

torff, Reardon, Reitz, Schwab, S. Sharp, Siegfried, Sloan, Storm, Svaty, Tafanelli, Vickrey, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Aurand, Ballou, Bethell, Betts, Burgess, Carlin, Compton, Crow, Dahl, Decker, Dillmore, Dreher, Edmonds, Faber, Flaharty, Flora, Freeborn, Grant, Hayzlett, Henderson, Henry, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Loganbill, M. Long, F. Miller, Minor, Myers, Neufeld, Nichols, Osborne, Ostmeyer, Peterson, Phelps, Powell, Powers, Rehorn, Ruff, Schwartz, B. Sharp, Showalter, Shriver, Shultz, Swenson, Thimesch, Thull, Toelkes, Ward, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **SB 237**. The Sunflower area has been the focus of much legislative controversy over the years. **SB 237** had a hearing in Local Government and was voted on the same day. This committee has little to no expertise in the issues surrounding this property. The cursory glance this bill received certainly doesn't ensure that all necessary questions have been heard let alone satisfactorily answered. Because of past controversy, a newly proposed solution should receive close scrutiny, not the fast track, to identify all state concerns in this proposal.—DEENA HORST

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Vickrey, the House nonconcurred in Senate amendments to **HB 2003** and asked for a conference.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

On motion of Rep. O'Neal, the House nonconcurred in Senate amendments to **HB 2032** and asked for a conference.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. O'Neal, the House concurred in Senate amendments to **HB 2034**. An act concerning the Kansas power of attorney act; amending K.S.A. 2002 Supp. 58a-602 and repealing the existing section; also repealing K.S.A. 58-601, 58-602, 58-610, 58-611, 58-612, 58-613, 58-614, 58-615, 58-616 and 58-617.

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

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatedwood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Mason, Sawyer.

On motion of Rep. D. Johnson, the House nonconcurred in Senate amendments to **HB 2038** and asked for a conference.

Speaker Mays thereupon appointed Reps. D. Johnson, Powell and Thimesch as conferees on the part of the House.

On motion of Rep. Vickrey, the House nonconcurrred in Senate amendments to **HB 2122** and asked for a conference.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

On motion of Rep. Holmes, the House nonconcurrred in Senate amendments to **HB 2131** and asked for a conference.

Speaker Mays thereupon appointed Reps. Holmes, Krehbiel and Kuether as conferees on the part of the House.

On motion of Rep. Hayzlett, the House nonconcurrred in Senate amendments to **HB 2135** and asked for a conference.

Speaker Mays thereupon appointed Reps. Hayzlett, Faber and M. Long as conferees on the part of the House.

On motion of Rep. Cox, the House concurrred in Senate amendments to **HB 2224**. An act relating to banking; concerning certain powers; amending K.S.A. 9-1101 and 9-1713 and repealing the existing sections.

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

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer.

On motion of Rep. Aurand, the House went into Committee of the Whole, with Rep. Cox in the chair.

COMMITTEE OF THE WHOLE

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

Recommended committee report to **HB 2456** be adopted; and the bill be passed as amended.

Committee report to **SB 223** be adopted; and the bill be passed as amended.

Committee report to **SB 36** be adopted; and the bill be passed as amended.

Committee report to **SB 205** be adopted; also, on motion of Rep. Horst be amended on page 2, by striking all in lines 14 through 16; following line 16, by inserting:

“(3) review the design sketches and narratives submitted by Kansans and select five submissions as finalists in the design selection process;” and **SB 205** be passed as amended.

On motion of Rep. Loganbill **SB 68** be amended on page 3, preceding line 1, by inserting the following:

“New Sec. 3. (a) On and after January 1, 2004, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one drive for the cure license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto,

and the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The secretary of health and environment may authorize the use of the logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the breast and cervical cancer treatment program fund. Any motor vehicle owner or lessee annually may apply to the secretary for the use of such logo. Upon annual application and payment to the secretary in an amount of \$50 as a logo use royalty payment for each license plate to be issued, the secretary shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b). If such logo use authorization statement is not presented at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(f) The secretary of health and environment shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the secretary of health and environment for information concerning the application process or the status of their license plate application.

(g) The secretary of health and environment, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.;

By renumbering sections accordingly;

In the title, in line 10, following the semicolon, by inserting "concerning distinctive license plates;"; in line 11, following the semicolon, by inserting "providing for the drive for the cure license plate;";

Also, on motion of Rep. DeCastro to amend **SB 68**, the motion did not prevail.

Also, on motion of Rep. Mays **SB 68** be amended on page 3, preceding line 1, by inserting the following:

"New Sec. 3. (a) On and after January 1, 2004, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Topeka Lutheran school of Topeka, Kansas, license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Topeka Lutheran school of Topeka, Kansas, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the Topeka Lutheran school of Topeka, Kansas, and shall be used to support the Topeka Lutheran school of Topeka, Kansas, endowment

fund. Any motor vehicle owner or lessee annually may apply to the Topeka Lutheran school of Topeka, Kansas, for the use of such logo. Upon annual application and payment to the Topeka Lutheran school of Topeka, Kansas, in an amount of \$10 as a logo use royalty payment for each license plate to be issued, the Topeka Lutheran school of Topeka, Kansas, shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b). If such logo use authorization statement is not presented at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(f) The Topeka Lutheran school of Topeka, Kansas, shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Topeka Lutheran school of Topeka, Kansas, for information concerning the application process or the status of their license plate application.

(g) The Topeka Lutheran school of Topeka, Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.”;

By renumbering sections accordingly;

In the title, in line 10, following the semicolon, by inserting “concerning distinctive license plates;”; in line 11, following the semicolon, by inserting “providing for the Topeka Lutheran school of Topeka, Kansas, license plate;”;

Also, on motion of Rep. Beggs **SB 68** be amended on page 3, preceding line 1, by inserting the following:

“New Sec. 3. (a) On and after January 1, 2004, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one masonic lodge license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The masonic grande lodge of Kansas may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the masonic grande lodge of Kansas and shall be used to support the grande lodge of Kansas endowment fund. Any motor vehicle owner or lessee annually may apply to the masonic grande lodge of Kansas for the use of such logo. Upon annual application and payment to the masonic grande lodge of Kansas in an amount of \$10 as a logo use royalty payment for each license plate to be issued, the masonic grande lodge of Kansas shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b). If such logo use authorization statement is not presented at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(f) The masonic grande lodge of Kansas shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the masonic grande lodge of Kansas for information concerning the application process or the status of their license plate application.

(g) The masonic grande lodge of Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.”;

By renumbering sections accordingly;

In the title, in line 10, following the semicolon, by inserting “concerning distinctive license plates;”; in line 11, following the semicolon, by inserting “providing for the masonic lodge license plate;”;

Also, on motion of Rep. Yonally, **SB 68** be rereferred to Committee on Transportation.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Aurand pursuant to House Rule 2311, **HB 2456; SB 223, SB 36, SB 205** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2456. An act concerning the attorney general; authorizing transfers between items of appropriation from the state general fund concerning interstate water rights, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Crow, Feuerborn, Kirk, Klein.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer, Swenson.

The bill passed, as amended.

SB 223. An act concerning state agency purchasing procedures; relating to the reverse auctioning electronic procurement process; repealing the Kansas performance review act; amending K.S.A. 75-3711a, 75-3711b, 75-3738, 75-3740 and 76-721 and K.S.A. 2002 Supp. 75-3739 and 75-3739a and repealing the existing sections; also repealing K.S.A. 75-3711d, 75-7101, 75-7102, 75-7103, 75-7104, 75-7105 and 75-7107, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 14; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Faber, Feuerborn, Flaharty, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Horst, Howell, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Krehbiel, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McLeland, Merrick, F. Miller, J. Miller, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Wilk, D. Williams, J. Williams, Yoder, Yonally.

Nays: Edmonds, Flora, Freeborn, Holmes, Huebert, Kirk, Klein, Kuether, McKinney, Minor, Nichols, Ward, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer, Swenson.

The bill passed, as amended.

SB 36. An act concerning courts; creating the judicial council fund; relating to the judicial council; amending K.S.A. 20-2201, 20-2202, 20-2203, 20-2204, 20-2206 and 28-172a and K.S.A. 2002 Supp. 20-367, 20-2207, 59-104, 60-1621 and 60-2001 and repealing the existing sections; also repealing K.S.A. 20-2205, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 13; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Feuerborn, Flaharty, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huff, Humerickhouse, Huntington, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kirk, Klein, Krehbiel, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Ballou, Brunk, Dahl, Faber, Flora, Huebert, Hutchins, Kauffman, Kuether, Landwehr, Neufeld, Ostmeyer, Powell.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer, Swenson.

The bill passed, as amended.

SB 205. An act enacting the Kansas commemorative coin design concept act, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 6; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Larkin, Light, Loganbill, M. Long, P.

Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, D. Williams, J. Williams, Wilson, Winn, Yoder, Yonally.

Nays: Carter, Edmonds, Faber, Landwehr, Neufeld, Wilk.

Present but not voting: None.

Absent or not voting: Ballard, Goico, Sawyer, Swenson.

The bill passed, as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 112, by Representative McKinney, congratulating Tina Buck on being chosen Kansas Master Teacher;

Request No. 113, by Representative J. Miller, congratulating Earl Jones on winning three wrestling championships and going undefeated in 113 matches;

Request No. 114, by Representative Compton, congratulating Ralph and Joey Cline on their 50th wedding anniversary;

Request No. 115, by Representative Yonally, commending Daniel James Wilson on attaining the rank of Eagle Scout;

Request No. 116, by Representative D. Johnson, congratulating members of the Hays High School "We the People...the Citizen and the Constitution" Team on winning the state title;

Request No. 117, by Representative Schwartz, honoring the Hanover Boys' Basketball Team and Coaches on winning third place at the 1-A Basketball Tournament;

Request No. 118, by Representative Schwartz, congratulating members of the Marysville Bulldogs Boys' Basketball Team on winning the 4-A Basketball Championship;

Request No. 119, by Representative McKinney, congratulating Mark Buck on being chosen as the Principal Honoree of the Kansas Association of Secondary School Principals Area VI Middle Level ;

Request No. 120, by Representative D. Johnson, congratulating Dr. Fred Ruda on receiving the William J. Wilkinson Meritorious Service Award;

Request No. 121, by Representative Krehbiel, congratulating members of the Moundridge Ladycats Girls' Basketball Team on winning the Class 2-A State Girls' Basketball Championship;

Request No. 122, by Representative Krehbiel, congratulating members of the Burrton High School Boys' Basketball Team on winning the 2003 Class 1-A State Boys' Basketball Championship;

Request No. 123, by Representative Owens, honoring John G. Porter on attaining the rank of Eagle Scout;

Request No. 124, by Representative Huff, commending the Cold War Veterans Association in recognition of the brave Kansas men and women who helped American win the Cold War;

Request No. 125, by Representative Phelps, congratulating Larissa Encinias on winning the Regional My City 2020 Essay Award;

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.

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 was thereupon introduced and read by title:

HB 2465, An act concerning the Kansas withholding tax act; amending K.S.A. 2002 Supp. 79-3295, 79-3298, 79-3299, 79-32,100, 79-32,100a, 79-32,100b and 79-32,100c and repealing the existing sections, by Committee on Taxation.

MESSAGES FROM THE GOVERNOR

HB 2221, HB 2315 approved on March 26, 2003.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barbieri-Lightner, the House nonconcurrred in Senate amendments to **HB 2233** and asked for a conference.

Speaker Mays thereupon appointed Reps. Barbieri-Lightner, Dreher and B. Sharp as conferees on the part of the House.

SELECT COMMITTEE APPOINTMENTS

March 28, 2003

In accordance with House Rule 1103, the Select Committee on Revenue Amortization Policy is established. The committee will consist of eight Representatives.

Members of the committee are: Ray Cox, Chair; Kenny Wilk, Vice Chair; Ward Loyd, Doug Patterson, Doug Mays; Dennis McKinney, Ranking Minority Member; Melvin Minor, and Joe Shriver.

Doug Mays
Speaker of the House

On motion of Rep. Aurand, the House recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE SENATE

Announcing passage of **SB 243, SB 252, SB 253**.

Announcing passage of **HB 2090, HB 2120, HB 2132, HB 2171, HB 2192; Sub. HB 2197; HB 2314, HB 2353**.

Announcing passage of **HB 2009**, as amended; **Sub. HB 2036**, as amended; **HB 2078**, as amended; **HB 2121**, as amended; **HB 2130**, as amended; **HB 2205**, as amended; **HB 2234**, as amended; **HB 2247**, as amended; **HB 2288**, as amended; **HB 2308**, as amended by **S. Sub. for HB 2308; HB 2332**, as amended; **HB 2369**, as amended; **HB 2374**, as amended.

The Senate concurs in House amendments to **SB 55**.

The Senate concurs in House amendments to **SB 119**.

The Senate concurs in House amendments to **SB 120**.

The Senate concurs in House amendments to **SB 159**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 243, SB 252, SB 253.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Sloan, the House nonconcurrred in Senate amendments to **HB 2009** and asked for a conference.

Speaker Mays thereupon appointed Reps. Sloan, Horst and Storm as conferees on the part of the House.

On motion of Rep. D. Johnson, the House nonconcurrred in Senate amendments to **Sub. HB 2036** and asked for a conference.

Speaker Mays thereupon appointed Reps. D. Johnson, Powell and Gatewood as conferees on the part of the House.

On motion of Rep. Hutchins, the House nonconcurred in Senate amendments to **HB 2078** and asked for a conference.

Speaker Mays thereupon appointed Reps. Hutchins, Hayzlett and Thull as conferees on the part of the House.

On motion of Rep. Loyd, the House nonconcurred in Senate amendments to **HB 2121** and asked for a conference.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Holmes, the House nonconcurred in Senate amendments to **HB 2130** and asked for a conference.

Speaker Mays thereupon appointed Reps. Holmes, Krehbiel and Kuether as conferees on the part of the House.

On motion of Rep. Jim Morrison, the House nonconcurred in Senate amendments to **HB 2234** and asked for a conference.

Speaker Mays thereupon appointed Reps. Jim Morrison, P. Long and Kirk as conferees on the part of the House.

On motion of Rep. Freeborn, the House nonconcurred in Senate amendments to **HB 2247** and asked for a conference.

Speaker Mays thereupon appointed Reps. Freeborn, Tafanelli and Flora as conferees on the part of the House.

On motion of Rep. Wilson, the House nonconcurred in Senate amendments to **HB 2288** and asked for a conference.

Speaker Mays thereupon appointed Reps. Myers, Powers and Wilson as conferees on the part of the House.

On motion of Rep. Loyd, the House nonconcurred in Senate amendments to **S. Sub. for HB 2308** and asked for a conference.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Dahl, the House nonconcurred in Senate amendments to **HB 2332** and asked for a conference.

Speaker Mays thereupon appointed Reps. Dahl, Novascone and Ruff as conferees on the part of the House.

On motion of Rep. Nichols, the House nonconcurred in Senate amendments to **HB 2369** and asked for a conference.

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

On motion of Rep. Holmes, the House nonconcurred in Senate amendments to **HB 2374** and asked for a conference.

Speaker Mays thereupon appointed Reps. Holmes, Krehbiel and Kuether as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Mays announced the appointment of Rep. Wilson as a member of the conference committee on **SB 102** to replace Rep. Sawyer.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Aurand, pursuant to House Rule 2306, the following bills were withdrawn from the Calendar under that order of business, General Orders, and rereferred to committees as indicated:

Agriculture: **SB 135, SB 238.**

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

Federal and State Affairs: **Sub. HB 2420.**

Judiciary: **H. Sub. for SB 18.**

Transportation: **HB 2244.**

Also, on motion of Rep. Aurand, pursuant to House Rule 2307, the following bills were stricken from the Calendar:

HB 2455; SB 95, SB 167.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 7**, requests a conference and has appointed Senators Umbarger, Vratil and Downey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 14**, requests a conference and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 33**, requests a conference and has appointed Senators Harrington, Barnett and Gooch as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 67**, requests a conference and has appointed Senators Vratil, Allen and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **Sub. SB 104**, requests a conference and has appointed Senators Clark, Emler and Barone as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 110**, requests a conference and has appointed Senators Vratil, Pugh and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 123**, requests a conference and has appointed Senators Vratil, Allen and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 145**, requests a conference and has appointed Senators Schmidt, Huelskamp and Downey as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 225**, requests a conference and has appointed Senators Wagle, Barnett and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 235**, requests a conference and has appointed Senators Brownlee, Jordan and Barone as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 237**, requests a conference and has appointed Senators Brownlee, Jordan and Barone 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 7**.

Speaker Mays thereupon appointed Reps. Sloan, Horst and Storm as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 14**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 33**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 67**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **Sub. SB 104**.

Speaker Mays thereupon appointed Reps. Holmes, Krehbiel and Kuether as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 110**.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 123**.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 145**.

Speaker Mays thereupon appointed Reps. D. Johnson, Powell and Feuerborn as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 225**.

Speaker Mays thereupon appointed Reps. Jim Morrison, P. Long and Kirk as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 235**.

Speaker Mays thereupon appointed Reps. Wilk, Gordon and Burroughs as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 237**.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was thereupon introduced and read by title:

HB 2466. An act concerning state finance; authorizing the issuance of certain bonds for the department of administration for capital improvement projects of the department of transportation; prescribing certain transfers to the state general fund, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6021—

By Committee on Environment

A RESOLUTION urging the Secretary of Wildlife and Parks to maximize federal funding for programs of the Department of Wildlife and Parks by obtaining private funds to match federal funds available to the state for that purpose.

WHEREAS, Programs of the Department of Wildlife and Parks are important to the quality of life of Kansas citizens and to tourism and economic development; and

WHEREAS, There are a wide variety of needs to develop the Department's programs so that all Kansans may have access to outdoor activities in the state; and

WHEREAS, State finances are currently extremely limited and there will not be sufficient state funds to adequately fund programs of the Department; and

WHEREAS, There are millions of dollars available to the states for various types of projects from the federal government for programs of the Department; and

WHEREAS, There may be private moneys available to match federal funds available for programs of the Department; and

WHEREAS, There are numerous interest groups and nonprofit organizations nationwide with interests in maintaining programs of the Department of Wildlife and Parks: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Legislature urges the Secretary of Wildlife and Parks to aggressively pursue private funds available to match federal funds for programs of the Department of Wildlife and Parks; and

Be it further resolved: That the Legislature requests the Secretary of Wildlife and Parks to report to the Legislature on or before the 10th legislative day of the 2004 regular session regarding the Secretary's efforts made to obtain such private funds and the success of those efforts; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to send an enrolled copy of this resolution to the Secretary of Wildlife and Parks.

On motion of Rep. Aurand, the House recessed until 5:00 p.m.

EVENING SESSION

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

MESSAGE FROM THE SENATE

Announcing passage of **SB 49, SB 222, SB 254.**

Announcing passage of **HB 2138; Sub. HB 2294; HB 2329.**

Announcing passage of **HB 2005**, as amended; **HB 2035**, as amended; **HB 2071**, as amended; **HB 2160**, as amended; **HB 2208**, as amended by **S. Sub. for HB 2208; Sub. HB 2219**, as amended by **S. Sub. for Sub. HB 2219; HB 2254**, as amended; **HB 2297**, as amended.

The Senate nonconcur in House amendments to **SB 36**, requests a conference and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 223**, requests a conference and has appointed Senators Brownlee, Jordan and Barone as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2003** and has appointed Senators Allen, O'Connor and Gilstrap as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2032** 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 2038** and has appointed Senators Schmidt, Huelskamp and Downey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2122** and has appointed Senators Allen, O'Connor and Gilstrap as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2131** and has appointed Senators Clark, Emler and Barone as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2135** and has appointed Senators Donovan, Salmons and Gooch as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2233** and has appointed Senators Teichman, Barnett and Feleciano as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 49, SB 222, SB 254.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 36**.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House acceded to the request of the Senate for a conference on **SB 223**.

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

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Aurand, the House nonconcurred in Senate amendments to **HB 2005** and asked for a conference.

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

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **HB 2035** and asked for a conference.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **HB 2071** and asked for a conference.

Speaker Mays thereupon appointed Reps. Barbieri-Lightner, Dreher and B. Sharp as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **S. Sub. for HB 2208** and asked for a conference.

Speaker Mays thereupon appointed Reps. Wilk, Gordon and Burroughs as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **HB 2160** and asked for a conference.

Speaker Mays thereupon appointed Reps. Hayzlett, Faber and M. Long as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **S. Sub. for Sub. HB 2219** and asked for a conference.

Speaker Mays thereupon appointed Reps. Freeborn, Tafanelli and Flora as conferees on the part of the House.

On motion of Rep. Wilson, the House nonconcurrred in Senate amendments to **HB 2254** and asked for a conference.

Speaker Mays thereupon appointed Reps. Jim Morrison, P. Long and Kirk as conferees on the part of the House.

On motion of Rep. McKinney, the House nonconcurrred in Senate amendments to **HB 2297** and asked for a conference.

Speaker Mays thereupon appointed Reps. O'Neal, Patterson and Pauls as conferees on the part of the House.

On motion of Rep. Aurand, the House recessed until 8:00 p.m.

NIGHT SESSION

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

MESSAGES FROM THE SENATE

Announcing passage of **SB 12, SB 13; Sub. SB 170; Sub. SB 244; SB 261, SB 265, SB 268.**

Announcing passage of **HB 2448.**

Announcing passage of **HB 2027**, as amended; **HB 2037**, as amended; **HB 2150**, as amended; **HB 2179**, as amended; **HB 2201**, as amended; **HB 2212**, as amended; **HB 2271**, as amended; **HB 2426**, as amended.

Also, the Senate accedes to the request of the House for a conference on **HB 2009** and has appointed Senators Umbarger, Vratil and Downey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub. HB 2036** and has appointed Senators Schmidt, Huelskamp and Downey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2078** and has appointed Senators Tyson, Taddiken and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2121** and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2130** and has appointed Senators Clark, Emler and Barone as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2234** and has appointed Senators Wagle, Barnett and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2247** and has appointed Senators Tyson, Taddiken and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2288** and has appointed Senators Allen, O'Connor and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S. Sub. for HB 2308** and has appointed Senators Vratil, Oleen and Goodwin as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2332** and has appointed Senators Brownlee, Jordan and Barone as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2369** and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2374** and has appointed Senators Clark, Emler and Barone as conferees on the part of the Senate.

Also, the Senate concurs in House amendments to **SB 205**.

The Senate accedes to the request of the House for a conference on **HB 2005** and has appointed Senators Corbin, Donovan and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2035** and has appointed Senators Vratil, Pugh and Goodwin as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2071** and has appointed Senators Teichman, Barnett and Feleciano as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2160** and has appointed Senators Donovan, Salmans and Gooch as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S. Sub. for HB 2208** and has appointed Senators Brownlee, Jordan and Barone as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S. Sub. for Sub. HB 2219** and has appointed Senators Tyson, Taddiken and Lee as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2254** and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2297** and has appointed Senators Vratil, Schmidt and Goodwin as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 12, SB 13; Sub. SB 170; Sub. SB 244; SB 261, SB 265, SB 268.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Wilson, the House nonconcurred in Senate amendments to **HB 2027** and asked for a conference.

Speaker Mays thereupon appointed Reps. D. Johnson, Light and Thimesch as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2037** and asked for a conference.

Speaker Mays thereupon appointed Reps. Holmes, Krehbiel and Kuether as conferees on the part of the House.

On motion of Rep. Wilson, the House nonconcurred in Senate amendments to **HB 2150** and asked for a conference.

Speaker Mays thereupon appointed Reps. Hayzlett, Faber and M. Long as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2179** and asked for a conference.

Speaker Mays thereupon appointed Reps. Decker, Beggs and Reardon as conferees on the part of the House.

On motion of Rep. Wilson, the House nonconcurred in Senate amendments to **HB 2201** and asked for a conference.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurrent in Senate amendments to **HB 2212** and asked for a conference.

Speaker Mays thereupon appointed Reps. Vickrey, Ostmeyer and Toelkes as conferees on the part of the House.

On motion of Rep. Wilson, the House nonconcurrent in Senate amendments to **HB 2271** and asked for a conference.

Speaker Mays thereupon appointed Reps. Loyd, Owens and Ward as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurrent in Senate amendments to **HB 2426** and asked for a conference.

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

REPORT ON ENGROSSED BILLS

HB 2418, HB 2456 reported correctly engrossed March 28, 2003.

REPORT ON ENROLLED BILLS

2055, HB 2118, HB 2182, HB 2189, HB 2245, HB 2343 reported correctly enrolled, properly signed and presented to the governor on March 28, 2003.

On motion of Rep. Neufeld, the House adjourned until 11:00 a.m., Wednesday, April 2, 2003.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

