

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 21, 2004, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 123 members present.
Rep. Lane was excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

O God of creation, you are the God who grants authority and power to the nations of the earth. Standing in the light of your providence, governments come and go, nations rise and fall. We your people thank you that, in your providence, this nation has been raised up by men and women of vision and character and that we have been blessed to be counted among its citizens.

We know, Lord, that the state of our nation is that it stands under your authority and judgment. We are accountable to you for the treasure that you have provided us and the blessing that you have bestowed upon us. We your people thank you for that responsibility.

Bless these United States, O God, and especially this great state in which we live and which we love. Bless us with vision and with wisdom. Walk with these lawmakers, raised from the citizens of this state. They have been lifted from their communities, friends and families to serve as leaders. Be with them as they struggle to meet the needs of the common good. May they, in their conversation, their debate and their votes be found pleasing in your sight. Amen.

The Pledge of Allegiance was led by Rep. Huy.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2537, An act relating to the workers compensation act; concerning the workers compensation advisory council; amending K.S.A. 44-596 and repealing the existing section, by Special Committee on Commerce and Labor.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2530**, **HB 2531**.

Commerce and Labor: **HB 2534**.

Higher Education: **HB 2533**, **HB 2536**.

Insurance: **HB 2535**.

Taxation: **HB 2532**.

COMMUNICATIONS FROM STATE OFFICERS

From Deb Miller, Secretary of Transportation, as required by K.S.A. Supp. 68-2315, Kansas Department of Transportation, Annual Report, January 2004.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6007—

By Representative E. Johnson

A RESOLUTION designating July 16, 2004, as Atomic Veterans Day.

WHEREAS, Many of our veterans, including veterans who are residents of Kansas, were subjected to varying amounts of radiation because of the testing of atomic weapons in the atmosphere from 1945 until the suspension of testing in 1963. The potential harm to these veterans was unknown initially, but many were exposed to harmful doses of radiation and have suffered debilitating, degenerative diseases affecting themselves and their offspring; and

WHEREAS, Early test subjects were required to sign an oath of secrecy regarding their involvement in atomic testing preventing them from taking their medical problems resulting from radiation to the Veterans Administration. In 1996 these nuclear veterans were released from their oath of secrecy. Prior to this date the National Association of Atomic Veterans was created to locate these veterans, to honor the sacrifices they made and to help these veterans and their spouses and children in obtaining medical treatment and assistance. Many were injured as if they had been in battle but they have received no medals. As the members of this group are rapidly decreasing because of their age, it is most appropriate to recognize their sacrifices for our freedom; and

WHEREAS, By engaging in a national research and education effort for atomic war veterans, the National Association of Atomic Veterans is promoting early detection of medical problems and research and documentation of the connection between radiation exposure and resultant cancer and other debilitating, degenerative diseases and genetic mutations: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate July 16, 2004, the anniversary of the first atomic test, as Atomic Veterans Day and urge those veterans who participated in the United States' atmospheric and underground nuclear weapons tests, the United States' occupation of Hiroshima and Nagasaki following World War II, those who were prisoners of war in Hiroshima and Nagasaki or served in gaseous diffusion plants to contact the Kansas State Commander of the National Association of Atomic Veterans, 527 W. North Street, P.O. Box 159, Leon, KS 67074 or the Kansas Commission on Veterans Affairs, 700 S.W. Jackson, Suite 701, Topeka, KS 66613; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to the Kansas State Commander of the National Association of Atomic Veterans, 527 W. North Street, P.O. Box 159, Leon, KS 67074 and the Kansas Commission on Veterans Affairs, 700 S.W. Jackson, Suite 701, Topeka, KS 66613.

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 bills and concurrent resolution were thereupon introduced and read by title:

HB 2538, An act establishing under the state board of pharmacy a drug repository program to accept and dispense donated prescription drugs, by Representative Sloan.

HB 2539, An act relating to the Kansas development finance authority; concerning bonds for research facilities; amending K.S.A. 2003 Supp. 74-8902 and 74-8905 and repealing the existing sections, by Committee on Higher Education.

HB 2540, An act concerning property taxation; relating to appeals of orders of the board of tax appeals; attorney fees and costs; amending K.S.A. 74-2426 and repealing the existing section, by Representative Beggs.

HB 2541, An act concerning crimes, punishment and criminal procedure; relating to searches without a search warrant; amending K.S.A. 22-2501 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2542, An act concerning crimes, punishment and criminal procedure; relating to collection of specimens; amending K.S.A. 2003 Supp. 21-2511 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2543, An act concerning sales taxation; relating to exemptions for certain nonprofit corporations; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Barbieri-Lightner.

HB 2544, An act concerning sales taxation; relating to exemptions for certain nonprofit corporations; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Barbieri-Lightner.

HB 2545, An act concerning insurance; pertaining to the use of mortality tables; amending K.S.A. 40-409 and repealing the existing section, by Committee on Insurance.

HB 2546, An act concerning insurance; pertaining to the conversion of mutual companies to stock companies; amending K.S.A. 40-4004 and repealing the existing section, by Committee on Insurance.

HB 2547, An act concerning the Kansas uninsurable health insurance plan act; amending K.S.A. 40-2118, 40-2122 and 40-2124 and repealing the existing sections, by Committee on Insurance.

HB 2548, An act relating to drivers' licenses; concerning motorcycles; amending K.S.A. 8-235 and repealing the existing section, by Representative Decker.

HB 2549, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2003 Supp. 40-2258 and repealing the existing section, by Committee on Insurance.

HB 2550, An act concerning sales taxation; relating to exemptions; certain domestic violence centers; amending K.S.A. 2003 Supp. 79-3606 and repealing the existing section, by Representative Huff.

HOUSE CONCURRENT RESOLUTION No. 5027—

By Committee on Insurance

A CONCURRENT RESOLUTION urging the insurance department and commissioner of insurance to pursue creation of an interstate compact or state-based regulation of certain insurance products.

WHEREAS, The Kansas State Legislature created the Kansas Insurance Department in 1871; and

WHEREAS, The McCarran-Ferguson Act of 1945 granted states the continued right to regulate the insurance industry; and

WHEREAS, Kansas consumers need financially sound and up-to-date insurance products; and

WHEREAS, An interstate insurance compact could benefit consumers, industry and regulators by promoting uniformity in the law and speed to market while maintaining the state-based regulatory system that has been protecting American consumers for more than 150 years; and

WHEREAS, Insurance is a ten billion dollar a year industry in Kansas; and

WHEREAS, Insurance companies regulated by the State of Kansas pay for that regulation through premium taxes; and

WHEREAS, The Kansas Insurance Department is the third highest revenue producer for the state general fund; and

WHEREAS, The Kansas Legislature strongly supports and remains committed to state regulation of the insurance industry; Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature strongly urges the insurance department and the commissioner of insurance to continue working toward creation of a national system of state-based insurance regulation for life and annuity products through an interstate compact.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Thursday, January 22, 2004.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

