

# Journal of the House

## EIGHTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 5, 2004, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 120 members present.  
Rep. Bethell was excused on legislative business.  
Reps. Barbieri-Lightner, Boyer, Campbell, and Henderson were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

Almighty God, ruler of all creation, author of life and giver of grace hear us as we bow before you this day. As we go about our lives this day and every day, Lord, we are blessed by the service of those who protect and defend us. Hear our special prayer for them today.

We thank you for firefighters and other emergency responders who stand ready to protect our homes and our families. Watch over them today as they respond to the needs of our communities and risk their lives to save others.

We thank you for all officers of the law who uphold order and protect innocence. Be with them as they travel icy roads today. Protect them as they enter into harm's way. Give them a discerning spirit as they mediate the laws which have been enacted for our well-being.

We thank you for the women and men of our Armed Forces who defend our country in far-flung lands. Cast your protection over them as they serve on land, at sea and in the air to defend liberty from tyranny and terror.

And make us constantly aware, O God, that the security that you give is eternal and unending.

May our trust be always in you. Amen.

The Pledge of Allegiance was led by Rep. Dillmore.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2728**, An act relating to the comprehensive transportation program; concerning the financing thereof; amending K.S.A. 2003 Supp. 79-34,147 and repealing the existing section, by Committee on Transportation.

**HB 2729**, An act relating to safety belts; concerning enforcement; amending K.S.A. 8-2503 and 8-2504 and repealing the existing sections, by Committee on Transportation.

**HB 2730**, An act concerning crimes and punishment; relating to endangering a child; amending K.S.A. 21-3608 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2705**, **HB 2706**.

Commerce and Labor: **HB 2719**.  
 Corrections and Juvenile Justice: **HB 2711, 2724, 2726, 2727**.  
 Economic Development: **HB 2713**.  
 Education: **HB 2699**.  
 Federal and State Affairs: **HB 2723**.  
 Health and Human Services: **HB 2698, HB 2716, HB 2717, HB 2718**.  
 Insurance: **HB 2720, HB 2721, HB 2722**.  
 Judiciary: **HB 2697, HB 2715**.  
 Local Government: **HB 2712, HB 2725**.  
 Taxation: **HB 2696, HB 2700, HB 2701, HB 2702, HB 2703, HB 2704**.  
 Tourism and Parks: **HB 2710**.  
 Transportation: **HB 2707, HB 2708, HB 2709, HB 2714**.

#### **CHANGE OF REFERENCE**

Speaker Mays announced the withdrawal of **HB 2490** from Committee on Local Government and referral to Select Committee on Kansas Security.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 295, SB 306, SB 307, SB 311, SB 323, SB 324, SB 338, SB 340**.

Also, announcing passage of **SB 292, SB 352, SB 353, SB 368**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**SB 292, SB 295, SB 306, SB 307, SB 311, SB 323, SB 324, SB 338, SB 340, SB 352, SB 353, SB 368**.

#### **MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Loyd, **HR 6018**, A resolution in recognition of the Kansas Mission of Mercy, was adopted.

On behalf of Reps. Powell, Long and Rehorn, Rep. Loyd presented Dr. Jon Tilton, Wichita, and Dr. Jeff Stasch, Garden City, with enrolled copies of the resolution.

#### **CONSENT CALENDAR**

No objection was made to **HB 2606** appearing on the Consent Calendar for the second day.

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**H. Sub. for Sub. SB 153**, An act concerning emergency telephone service; enacting the wireless enhanced 911 act; imposing certain fees; providing for certain grants, was considered on final action.

On roll call, the vote was: Yeas 80; Nays 40; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Beggs, Carlin, Compton, Cox, Craft, Crow, Davis, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Henry, Hill, Holland, Holmes, Horst, Huff, Humerickhouse, Jack, D. Johnson, Kassebaum, Kirk, Krehbiel, Kuether, Lane, Larkin, Light, Loganbill, M. Long, Loyd, Mason, McCreary, McKinney, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Novascone, O'Malley, O'Neal, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwartz, Scoggins-Waite, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Thimesch, Thull, Toelkes, Ward, Wilk, D. Williams, J. Williams, Yoder.

Nays: Aurand, Ballou, Brunk, Burgess, Burroughs, Carter, Dahl, DeCastro, Goering, Goico, Gordon, Grant, Hayzlett, Howell, Huebert, Huntington, Hutchins, Huy, E. Johnson, Kauffman, Klein, Landwehr, Long-Mast, Mays, McLeland, Merrick, F. Miller, Neufeld, Newton, Osborne, Pottorff, Powers, Schwab, B. Sharp, Swenson, Tafanelli, Vickrey, Wilson, Winn, Yonally.

Present but not voting: None.

Absent or not voting: Barbieri-Lightner, Bethell, Boyer, Campbell, Henderson.  
The substitute bill passed, as amended.

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

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

**HB 2731**, An act concerning hunting; relating to voluntary contributions to Kansas Farmers and Hunters Feeding the Hungry; amending K.S.A. 32-980 and repealing the existing section, by Representative Merrick.

**HB 2732**, An act amending the Kansas commemorative coin design concept act; amending K.S.A. 2003 Supp. 73-2501, 73-2502 and 73-2503 and repealing the existing sections, by Representative Horst.

**HB 2733**, An act relating to teachers; concerning employment after retirement; amending K.S.A. 74-4914 and repealing the existing section, by Committee on Education.

**HB 2734**, An act concerning postsecondary education; relating to tuition waivers for foster care children; amending K.S.A. 74-32,161 and K.S.A. 2003 Supp. 74-32,151 and repealing the existing sections, by Committee on Appropriations.

**HB 2735**, An act concerning the state board of pharmacy; regarding registration of pharmacy technicians; amending K.S.A. 2003 Supp. 65-1663 and repealing the existing section, by Committee on Health and Human Services.

**HB 2736**, An act concerning water and sewer service; relating to nonpayment of service charges; prohibiting refusal of service to real property or placing a lien on real property under certain circumstances, by Representative Huebert (By request).

**HB 2737**, An act concerning the state board of healing arts; relating to licensure of athletic trainers; amending K.S.A. 65-6901, 65-6902, 65-6903, 65-6904, 65-6905, 65-6906, 65-6907, 65-6909, 65-6910 and 65-6911 and K.S.A. 2003 Supp. 65-2891 and repealing the existing sections, by Committee on Health and Human Services.

HOUSE CONCURRENT RESOLUTION No. 5035—

By Representative Wilson

A CONCURRENT RESOLUTION concerning school medical records.

WHEREAS, The welfare of our children depends in part upon providing necessary health care for them while they are at school. In addition to caring for injuries sustained at school special medications may need to be provided to certain students: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the various school districts of the state are directed to review and update their medical forms and procedures particularly as they relate to self-administered medications; and

*Be it further resolved:* That the Secretary of State provide an enrolled copy of this resolution to the Commissioner of Education for forwarding to all public school districts of the state.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6018** reported correctly enrolled and properly signed on February 5, 2004.

#### READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1025, under Introduction of Bills and Concurrent Resolutions, the sponsor for **HB 2715** should be Committee on Judiciary rather than Rep. Goering.

On motion of Rep. Aurand, the House adjourned until 8:30 a.m., Friday, February 6, 2004.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

