

# Journal of the House

TWENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 13, 2004, 10:30 a.m.

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

The roll was called with 119 members present.

Rep. Beggs was excused on verified illness.

Reps. Pottorff and Winn were excused on legislative business.

Reps. Carter, Goering and O'Neal were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

God of the mighty and God of the least, in every heart and life you have put a hunger that can only be satisfied by you. We lift our voices today in thanksgiving and praise and to ask that you continue to fill us with your love. Fill us to overflowing with your care for your creation and all your children who live in it.

We pray for the mightiest of your children: for leaders who have been given the responsibility of power, the rich who have been given the responsibility of stewardship and the wise who have been given the responsibility of enlightenment. Fill their hearts with your presence and guide them to bless others through their gifts.

We pray for the least of your children: for those challenged physically, emotionally or mentally, for those who are wounded in body or in spirit, for those who struggle to rise above their poverty and for those who don't even know where to begin or who believe that there is no hope. Fill each heart with the knowledge that you walk with them through every valley and in every circumstance.

Bless us also, O God, for wherever we fall in the ranking of the world, we know that we are important to you. Amen.

The Pledge of Allegiance was led by Rep. Kuether.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2867**, An act concerning adult care homes; providing for a medical review panel, by Committee on Health and Human Services.

**HB 2868**, An act concerning physical therapy; amending K.S.A. 2003 Supp. 65-2901 and 65-2912 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2869**, An act concerning criminal procedure; relating to preliminary examinations, by Committee on Corrections and Juvenile Justice.

**HB 2870**, An act concerning imitation firearms; amending K.S.A. 12-16,115 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2871**, An act regulating traffic; concerning certain traffic infractions for motor carriers; amending K.S.A. 8-1901, 8-2118, 66-1315, 66-1324 and 79-34,122 and K.S.A. 2003 Supp. 8-2107 and 66-1,130 and repealing the existing sections, by Committee on Transportation.

**HB 2872**, An act relating to evaluations of education employees; amending K.S.A. 72-9004 and repealing the existing section, by Committee on Education.

**HB 2873**, An act concerning mortgage registration fees; relating to refunds; amending K.S.A. 79-3102 and repealing the existing section, by Committee on Taxation.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2865**.

Appropriations: **SB 336**.

Corrections and Juvenile Justice: **HB 2861, HB 2862, HB 2863**.

Education: **SB 346, SB 359**.

Federal and State Affairs: **HB 2853, HB 2854, HB 2855, HB 2856, HB 2857**.

Insurance: **HB 2852**.

Judiciary: **HB 2864, SB 298, SB 315, SB 316, SB 317**.

Taxation: **HB 2866**.

Transportation: **HB 2858, HB 2859, HB 2860**.

Utilities: **SCR 1616**.

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 325, SB 418**.

Also, announcing passage of **SB 256, SB 334, SB 365**.

The Senate concurs in House amendments to **SB 254**.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**SB 256, SB 325, SB 334, SB 365, SB 418**.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6024—

By Representative McKinney and Mays

A RESOLUTION celebrating the 50th anniversary of the United States Supreme Court's decision in *Brown v. Board of Education*.

WHEREAS, The petition in the case of *Brown v. Board of Education* was filed February 28, 1951; and

WHEREAS, On May 17, 1954, in an unanimous order the United States Supreme Court issued its decision overturning the earlier doctrine of "separate but equal" schools in *Plessy v. Ferguson* and declared that "in the field of public education 'Separate but Equal' has no place. Separate educational facilities are inherently unequal." On May 17, 2004, the 50th anniversary of this decision, the National Park Service will have its grand opening of the new *Brown v. Board of Education* National Historic Site located in the former Monroe School in Topeka; and

WHEREAS, It is indeed ironic that 100 years before this historic decision the Kansas Territory, which became known as Bleeding Kansas because of the struggle which ultimately saw Kansas enter the union as a free state, would be the forum for the integration of African-Americans in our public schools; and

WHEREAS, The Brown case was organized and filed by McKinley L. Burnett, President of the local chapter of the National Association for the Advancement of Colored People (NAACP) who recruited African-American parents in Topeka to challenge segregation by sending their children to enroll in white schools. At that time Topeka had four segregated schools as permitted by state law for cities of more than 15,000 inhabitants. The following 13 parents, who had a total of 20 children, became involved in the project and became the original plaintiffs in the case: Oliver Brown, Lena Carper, Margurite Emmerson, Zelma Henderson, Maude Lawton, Lucinda Todd, Sadie Emmanuel, Shirley Fleming, Shirley Hodison, Alma Lewis, Vivian Scales, Darlene Brown and Iona Richardson. Oliver Brown,

pastor of the St. Mark A.M.E. Church in Topeka, and the only male plaintiff was listed first in the case. The Kansas case was consolidated with four other cases from Delaware, South Carolina, Virginia and the District of Columbia; and

WHEREAS, Attorneys of note involved in the litigation were Charles Scott, Legal Counsel for the Topeka NAACP, Charles Houston, former Dean of the Howard University School of Law and counsel for the NAACP, and Thurgood Marshall, who was hired by Dean Houston to represent the NAACP and who argued the case before the Supreme Court; and

WHEREAS, The Monroe School was saved from demolition, was purchased by the federal government and in December 1993 was transferred to the National Park Service to be the new *Brown v. Board of Education* National Historic Site and the first unit of the National Park Service to be named after a court case; and

WHEREAS, The Kansas Committee to Commemorate *Brown v. Board of Education* has been a force since 1976 in creating an awareness and supporting education about the landmark decision, assisting with the movement to make Monroe School a National Historic Site, dedicating Sumner Elementary School as a National Historic Landmark, naming and dedication of the Scott magnet school, naming of the Thurgood Marshall Bridge and leading the efforts renaming the Topeka Public Schools Administrative Center in honor of McKinley L. Burnett; Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we join with the nation in celebrating the 50th anniversary of the United States Supreme Court's decision in *Brown v. Board of Education*; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to the Executive Director, State Historical Society, 6425 S.W. 6th Avenue, Topeka, KS 66615; C.E. "Sonny" Scroggins, Kansas Committee to Commemorate *Brown v. Board of Education*, 901 S.W. Tyler, Suite 111, Topeka, KS 66612; Monroe School National Historic Site; each of the 13 families of the original plaintiffs; and one copy to the family of McKinley L. Burnett.

#### CONSENT CALENDAR

No objection was made to **HB 2542**, **HB 2642** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2612** 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 2612**, An act concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2003 Supp. 84-9-509 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed.

**HB 2530**, An act concerning the cooperative marketing act; relating to removal of officers by board of directors; amending K.S.A. 17-1612 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed, as amended.

**HB 2553**, An act concerning municipalities; relating to payment of claims; amending K.S.A. 2003 Supp. 12-105b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed.

**HB 2555**, An act concerning probate; amending K.S.A. 59-2239 and 59-2246 and K.S.A. 2003 Supp. 59-605 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens,

Patterson, Pauls, Phelps, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed.

**HB 2556**, An act amending the Kansas uniform trust code; amending K.S.A. 2003 Supp. 58a-103, 58a-105, 58a-401, 58a-406, 58a-411, 58a-502, 58a-505, 58a-602, 58a-603, 58a-802, 58a-810, 58a-813 and 58a-815 and repealing the existing sections, was considered on final action.

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

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Dahl, Davis, DeCastro, Decker, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Crow, Dillmore, Howell, Powers.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed, as amended.

**HB 2580**, An act relating to banks and banking; concerning powers thereof; amending K.S.A. 2003 Supp. 9-1101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Rehorn.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed, as amended.

**HB 2641**, An act concerning drainage districts; pertaining to the definition of taxpayer in certain drainage districts; amending K.S.A. 24-414 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Ballou, Barbieri-Lightner, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Gatewood, Gilbert, Goico, 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, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Yoder, Yonally.

Nays: Freeborn.

Present but not voting: None.

Absent or not voting: Beggs, Carter, Goering, O'Neal, Pottorff, Winn.

The bill passed, as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2420** be amended by substituting a new bill as recommended by House Committee on Federal and State Affairs as reported in the Journal of the House on March 25, 2003, and the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **SB 9** be amended by substituting a new bill as recommended by House Committee on Federal and State Affairs as reported in the Journal of the House on April 3, 2003, and the substitute bill be amended:

On page 1, in line 30, after "(3)" by inserting "(a)"; in line 34, by striking "(a)" and inserting "(i)"; also in line 34, by striking "this subsection (3)" and inserting "subsection (3)(a)"; in line 36, by striking "to cover"; by striking all in line 37; in line 38, by striking all before "pursuant" and inserting "coverage for damages assessed in state or federal court and arising from the acts, errors or omissions of such tribal law enforcement agency or officer while acting"; in line 41, before the period, by inserting "and shall carry an endorsement to provide coverage for mutual aid assistance";

On page 2, after line 1, by inserting the following:

"(ii) The provisions of subsection (3)(a) shall be applicable only if such Native American Indian Tribe has filed with the county clerk a map clearly showing the boundaries of the Tribe's reservation as defined in this section.";

Also on page 2, in line 3, by striking "providing"; by striking all in line 4; in line 5, by striking all before the comma and inserting "acting pursuant to this section";

On page 4, in line 9, by striking all after "means"; by striking all in lines 10 and 11 and inserting in lieu thereof the following: "

(i) With respect to the Iowa Tribe of Kansas and Nebraska, the reservation established by treaties with the United States concluded May 17, 1854, and March 6, 1861;

(ii) with respect to the Kickapoo Nation, the reservation established by treaty with the United States concluded June 28, 1862;

(iii) with respect to the Prairie Band Potawatomi Nation in Kansas, the reservation established by treaties with the United States concluded June 5, 1846, November 15, 1861, and February 27, 1867; and

(iv) with respect to the Sac and Fox Nation of Missouri in Kansas and Nebraska: (A) the reservation established by treaties with the United States concluded May 18, 1854, and March 6, 1861, and by acts of Congress of June 10, 1872 (17 Stat. 391), and August 15, 1876 (19 Stat. 208), and (B) the premises of the gaming facility established pursuant to the gaming compact entered into between such nation and the state of Kansas, and the surrounding parcel of land held in trust which lies adjacent to and east of U.S. Highway 75 and adjacent to and north of Kansas Highway 20, as identified in such compact.

(9) The provisions of subsection (3) and subsections (8)(a)(2), (8)(d) and (8)(e) shall expire on July 1, 2007.”; and the substitute bill be passed as amended.

Committee on **Insurance** recommends **HB 2547** be amended on page 6, in line 31, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2581** be amended on page 1, by striking all in lines 14 through 43;

By striking all of page 2;

On page 3, by striking all in lines 1 through 19;

And by renumbering sections accordingly;

Also on page 3, by striking all in lines 36 through 43;

On page 4, by striking all in lines 1 through 42;

And by renumbering sections accordingly;

On page 5, in line 1, by striking all after “(a)””; by striking all in line 2; in line 3, by striking all before “any” and inserting “As provided in this section.”; in line 6, by striking “, upon”; by striking all in line 7; in line 8, by striking all before “the”; in line 10, before “Any” by inserting “In order to provide such records, the person or agency maintaining the records shall receive from the department of social and rehabilitation services:

(1) A written request for information;

(2) a written notice that an investigation is being conducted by the department; and

(3) certification or confirmation that the department has sent written notice to the involved adult or the involved adult’s guardian.”;

Also on page 5, in line 15, by striking “39-1430,”; also in line 15, by striking “, 39-1433”; On page 1, in the title, in line 10, by striking “39-1430,”; also in line 10, by striking “, 39-1433”; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2143** be amended by substituting a new bill to be designated as “Substitute for HOUSE BILL No. 2143,” as follows:

“Substitute for HOUSE BILL No. 2143

By Committee on Transportation

“AN ACT concerning distinctive license plates for motor vehicles; relating to the regulation thereof; amending K.S.A. 8-1,141 and 8-1,142 and repealing the existing sections; also repealing K.S.A. 8-1,149.”; and the substitute bill be passed.

(**Sub. HB 2143** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2633** be amended on page 3, in line 3, following “section” by inserting “or in accordance with a city ordinance or county resolution providing for the impoundment of motor vehicles” and the bill be passed as amended.

#### REPORT OF STANDING COMMITTEE

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

**Request No. 42**, by Representative Lane, congratulating Ray and Rita Bachman on their 60th wedding anniversary;

**Request No. 43**, by Representative Loyd, commending Jesus (Jesse) Bernal on receiving a 2003 Milken National Educator Award;

**Request No. 44**, by Representative Loyd, commending Garden Valley Retirement Village on its 30th anniversary of service;

**Request No. 45**, by Representative Loyd, congratulating Brenda Reeve on receiving the Garden City Area Chamber of Commerce 2004 Award of Merit;

**Request No. 46**, by Representative Dreher, congratulating Colonel Harry Lee, Jr. on his induction into the Army National Guard Hall of Fame;

**Request No. 47**, by Representative Loyd, congratulating Debrah L. Frederick and Hieu M. Doan on being named to the All-Kansas Academic Team;

**Request No. 48**, by Representative Toelkes, commending Emily Lamb on receiving a Prudential Spirit of Community Award;

**Request No. 49**, by Representative McKinney, commending Donna Rush, Kris Beat, Linda Foster, Randy Drake, Elizabeth McGee, Tonya Burton, Ruby Gieswein and Betty Mitchell for their service to disabled Kansans;

**Request No. 50**, by Representative Larkin, congratulating the Lady Panther Volleyball Team and coaches on winning their 7th consecutive state championship;

**Request No. 51**, by Representative Gordon, commending Justin Sheehy on receiving a Prudential Spirit of Community Award;

**Request No. 52**, by Representative Pottorff, congratulating Leo Goseland on receiving the Walter Morris Realtor of the Year award;

**Request No. 53**, by Representative Pottorff, congratulating Wenona and Rex Woodson on their 60th wedding anniversary;

**Request No. 54**, by Representative Compton, congratulating Sarah McCullough on being awarded 1st place in the Kansas League of Municipalities Essay Contest;

**Request No. 55**, by Representative Compton, congratulating Debby Heckman on being named 2004 Teacher of the Year by the Kansas Federation of Republican Women;

**Request No. 56**, by Representative Hutchins, congratulating Helen Lederer on her 80th birthday;

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 bills were thereupon introduced and read by title:

**HB 2874**, An act concerning the uniform interstate family support act; amending K.S.A. 23-9,102, 23-9,103, 23-9,201, 23-9,208, 23-9,209, 23-9,303, 23-9,308, 23-9,310, 23-9,312, 23-9,314, 23-9,316, 23-9,317, 23-9,319, 23-9,602, 23-9,604, 23-9,612, 23-9,701, 23-9,802 and 23-9,901 and K.S.A. 2003 Supp. 23-9,101, 23-9,202, 23-9,205, 23-9,206, 23-9,207, 23-9,301, 23-9,304, 23-9,305, 23-9,306, 23-9,307, 23-9,311, 23-9,313, 23-9,401, 23-9,501, 23-9,502, 23-9,503, 23-9,506, 23-9,507, 23-9,605, 23-9,606, 23-9,607, 23-9,610, 23-9,611 and 23-9,801 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 23-9,902, by Committee on Judiciary.

**HB 2875**, An act concerning parimutuel racing; amending K.S.A. 74-8819 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2876**, An act concerning racial profiling, by Committee on Federal and State Affairs.

**HB 2877**, An act concerning the division of emergency management; relating to the powers and duties thereof; amending K.S.A. 2003 Supp. 48-928 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2878**, An act concerning property taxation; relating to unpaid real property taxes; judgment and enforcement thereof pursuant to code of civil procedure, by Committee on Federal and State Affairs.

**HB 2879**, An act concerning certain medical procedures; providing for adoption of standards relating thereto; providing remedies for violations, by Committee on Federal and State Affairs.

**HB 2880**, An act concerning the courts; amending K.S.A. 20-101, 20-162, 20-318, 20-320, 20-361, 20-3014 and 75-3122 and K.S.A. 2003 Supp. 20-158 and 20-319 and repealing the existing sections; also repealing K.S.A. 20-152, 20-153, 20-154, 20-161, 20-321, 20-322, 20-323 and 20-351a, by Committee on Judiciary.

**HB 2881**, An act concerning seed contracts, by Committee on Judiciary.

#### REPORT ON ENGROSSED BILLS

**HB 2347**, **HB 2530**, **HB 2556**, **HB 2580**, **HB 2641** reported correctly engrossed February 13, 2004.

**READING AND CORRECTION OF THE JOURNAL**

In the Journal, on page 1057, under Reference of Bills and Concurrent Resolutions, **HB 2483** should be deleted from Committee on Taxation and **HB 2843** should be inserted.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Monday, February 16, 2004.

JANET E. JONES, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

