

Journal of the House

FORTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 17, 2005, 10:30 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 124 members present.
Rep. Light was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dariss Lomax, pastor, Crossroads Baptist Church, Kansas City, and guest of Rep. Kilpatrick:

I pray that the nations of the earth will come to know the power of Jesus the Christ. I pray that this House of Government is blessed, and that they will operate in the word and authority of our Lord Jesus Christ. Open their minds and hearts to follow you our God. Amen.

The Pledge of Allegiance was led by Rep. Huy.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **HB 2526**.

Taxation: **HB 2527**.

Utilities: **HR 6024**.

MESSAGE FROM THE SENATE

Announcing passage of **Sub. SB 33; SB 44, SB 263, SB 268**.

Announcing passage of **HB 2027, HB 2052, HB 2078, HB 2097, HB 2099, HB 2154, HB 2157, HB 2164, HB 2171, HB 2330, HB 2418**.

Announcing passage of **HB 2109**, as amended; **HB 2140**, as amended; **HB 2153**, as amended.

Announcing adoption of **SCR 1609**.

Announcing adoption of **HCR 5004**, as amended.

The Senate concurs in House amendments to **SB 113**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub. SB 33; SB 44, SB 263, SB 268; SCR 1609.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Jack, **HR 6025**, by Rep. Jack, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6025—

A RESOLUTION congratulating and commending the Labette Community College wrestling team.

WHEREAS, The Labette Community College wrestling team won the 2005 National

Junior College Athletic Association National Championship on Saturday, February 26 in Rochester, Minnesota. It is their first national championship; and

WHEREAS, Earl Jones became the school's first two-time national champion by winning the 133-pound title and clinching the Cardinals' championship. His 9-0 victory increased the Cardinals' total points to 108 and ahead of North Idaho which finished with 99 points. He also was named the meet's most outstanding wrestler; and

WHEREAS, Team honors were as follows:

Earl Jones, Champion—133 pounds
 Cory Allison, 5th place—141 pounds
 Luke Elmore, 4th place—149 pounds
 Adam Ingram, 2nd place—157 pounds
 Alex Saunders, 7th place—184 pounds
 Jared Shelton, 2nd place—197 pounds
 Brandon Pigorsch, national qualifier, 125 pounds
 Donnie McMillin, national qualifier, 165 pounds
 Dustin Martin, national qualifier, 295 pounds

WHEREAS, Joe Renfro, the team coach, was named the NJCAA Coach of the Year. Jody Thompson, the college's athletic director, who started the school's wrestling program and served as its coach for 27 years, stated that he felt this year would be a great year for the team and praised his protege, Mr. Renfro, for making certain the team lived up to its potential; and

WHEREAS, More than 200 team supporters were on hand to welcome the team as it returned to campus—many wearing freshly printed T-shirts proclaiming the Cardinals as the national champions: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the Labette Community College wrestling team upon winning the 2005 National Junior College Athletic Association national championship; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide 12 enrolled copies of this resolution to Ronald Fundis, President, Labette Community College, 200 S. 14th, Parsons, KS 67357.

Rep. Jack introduced Coach Joe Renfro and members of the Labette Community College wrestling team and recognized the accomplishments of the members.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Hawk, **HR 6022**, A resolution congratulating and commending the city of Manhattan and Riley County upon their sesquicentennial, was adopted.

There being no objection, the following remarks of Reps. Hawk and Carlin are spread upon the Journal:

A few short years ago I was born and raised in Colby, Kansas. My great public education and exposure to Kansas History and Geography, and the great people in my home town instilled in me a love for Kansas, as I have observed that same admiration from all of the Representatives here in the Kansas House and their love for our state. After my nearly 40 years of residence in Manhattan, that appreciation has grown and I stand here today to honor the 150th anniversary, the Sesquicentennial, of Manhattan and Riley County. Just as I look around this chamber each day and honor the great men and women who came before us, I wish to honor all of those who started Manhattan, who made it grow, who founded Kansas State University, and all those who made prosperity possible for so many of us—not just in this town I love so much, but throughout our state.

As a token of this appreciation, we would like to present three of our great citizens with a copy of this resolution and a framed certificate to commemorate the House's recognition of this sesquicentennial. Mr. Dave Lewis is the chairperson of the Celebrate 150 Committee and a long time radio personality for KMAN; Mr. Lowell Jack is a long time Manhattan resident and historian for many of the great accomplishments in Manhattan, at Ft. Riley, and at Kansas State; Mr. Lyle Butler is President of the Manhattan Area Chamber of Commerce and leader of our local Chamber's Topeka Day delegation.

Representative Carlin will make brief comments about our upcoming 150 Celebration:

Fellow House members, we would like to invite you to come to Manhattan this summer and to participate in the many activities in our community celebration. May 28-29 will be a Historical Bike Tour, the Ride 150. June 3-5 will be our Celebrate 150 Festival. Activities will begin Friday night with an Arts in the Park Concert. A Parade is scheduled for Saturday at 9:30 a.m. and features prominent guests and Clydesdales. Entertainment and music in City Park will include storytellers, K-State stilt walkers, live music, bands and artists, the Ft. Riley Mounted Color Guard, 1860 Campsite with re-enactors, Reggie Moray-Nicodemus settlement, and Buffalo Soldiers. There will be Historical tours, carriage rides, rock climbing, a quilt show, a triathlon and fun run, a free swim day, and a multitude of family activities like an old fashioned "drive in movie". Sha Na Na will be the featured entertainment.

On behalf of the Kansas House of Representatives, Reps. Hawk and Carlin presented them with the resolution and with a framed certificate.

CONSENT CALENDAR

No objection was made to **SB 50** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2105, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation; membership; employee and employer contributions; state fire marshal's office, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 21; Present but not voting: 0; Absent or not voting: 1.

Yeas: Ballard, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Huff, Huntington, Hutchins, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Kirk, Krehbiel, Kuether, Landwehr, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, F. Miller, M. Miller, Jim Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Powell, Powers, Roth, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Storm, Svaty, Swenson, Thull, Treaster, Ward, Watkins, Williams, Winn, Yoder, Yonally.

Nays: Aurand, Beamer, Carter, Cox, Crow, Faber, Horst, Huebert, Humerickhouse, Huy, Kilpatrick, Knox, Merrick, Judy Morrison, Pilcher-Cook, Pottorff, Ruff, Sloan, Vickrey, Weber, Wilk.

Present but not voting: None.

Absent or not voting: Light.

The bill passed.

HB 2200, An act concerning the support and care of children; relating to children in need of care; concerning rights of certain parties to be present at certain proceedings; amending K.S.A. 38-1501 and K.S.A. 2004 Supp. 38-1552a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Storm, Svaty, Swenson, Thull, Treaster, Ward, Watkins, Williams, Winn, Yoder, Yonally.

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Nays: None.

Present but not voting: None.

Absent or not voting: Light.

The bill passed, as amended.

HB 2309, An act concerning counties; relating to enforcement of county codes and resolutions; amending K.S.A. 2004 Supp. 19-101d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 39; Present but not voting: 0; Absent or not voting: 1.

Yeas: Ballard, Beamer, Bethell, Brunk, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Decker, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flower, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huff, Humerickhouse, Huntington, Jack, D. Johnson, Kelsey, Kiegerl, Kirk, Knox, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, Menghini, M. Miller, Myers, Newton, Novascone, O'Malley, O'Neal, Olson, Otto, Owens, Pauls, Peterson, Phelps, Pottorff, Roth, Ruff, Ruiz, Sawyer, Schwab, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Vickrey, Ward, Weber, Williams, Winn, Yoder, Yonally.

Nays: Aurand, Brown, Carlson, Carter, Dahl, DeCastro, Edmonds, Faber, Flora, Freeborn, Hayzlett, M. Holmes, Huebert, Hutchins, Huy, E. Johnson, Kelley, Kilpatrick, Kinzer, Landwehr, Mast, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Neufeld, Oharah, Peck, Pilcher-Cook, Powell, Powers, Schwartz, Treaster, Watkins, Wilk.

Present but not voting: None.

Absent or not voting: Light.

The bill passed, as amended.

SB 91, An act concerning the Kansas dental board; fees; regulation of mobile dental facilities and portable dental operations; amending K.S.A. 65-1447 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Burgess, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Brunk, Carter, Dillmore, Flora, Kinzer, Landwehr, Pilcher-Cook, Ward.

Present but not voting: None.

Absent or not voting: Light.

The bill passed, as amended.

SB 152, An act relating to district hospitals; relating to the sale of property; providing a limited authority to mortgage property; amending K.S.A. 80-2520 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Ga-

tewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Light.

The bill passed, as amended.

H. Sub. for SB 153, An act concerning state-tribal gaming compacts; amending K.S.A. 46-2302 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 21; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Bethell, Brown, Brunk, Burgess, Burroughs, Carlson, Carter, Coloton, Cox, Craft, Dahl, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Flaharty, Flower, Freeborn, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Hill, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Beamer, Carlin, Crow, Davis, Feuerborn, Flora, Garcia, Henry, Holland, Kirk, Kuether, Lane, Larkin, Loganbill, M. Miller, Peterson, Phelps, Ruiz, Sawyer, Showalter, Ward.

Present but not voting: None.

Absent or not voting: Light.

The substitute bill passed.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. O'Neal in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. O'Neal, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2331** be adopted; and the bill be passed as amended.

Committee report to **HB 2481** be adopted; also, on motion of Rep. Neufeld be amended on page 31, in line 11, by striking "fee"; also in line 11, by striking "federally mandated boating access" and inserting "— federal"; and the bill be passed as amended.

Committee report to **HB 2482** be adopted; also, on motion of Rep. Neufeld be amended on page 187, in line 41, by subtracting 100.00 from the number in the line and adjusting the number in line 41 accordingly;

Also, roll call was demanded on motion of Rep. Sawyer to amend **HB 2482** on page 136, in line 9, by adding \$14,758,117 to the dollar amount and by adjusting the dollar amount in line 9 accordingly;

On page 216, in line 32, by subtracting \$14,114,729 from the dollar amount and by adjusting the dollar amount in line 32 accordingly; preceding line 33, by inserting the following:

"(c) The provisions of this section shall not apply to any special revenue fund appropriated for the Fort Hays state university, Kansas state university, Kansas state university extension

systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, or the state board of regents by this or other appropriation act of the 2005 regular session of the legislature.”;

And by redesignating the remaining subsection accordingly;

On roll call, the vote was: Yeas 65; Nays 56; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Garcia, Gatewood, Grant, Hawk, Henderson, Hill, Holland, C. Holmes, Horst, Huff, Huntington, Jack, D. Johnson, E. Johnson, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, McKinney, Menghini, M. Miller, Judy Morrison, Newton, Novascone, O’Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, Schwab, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, Henry, M. Holmes, Huebert, Humerickhouse, Hutchins, Huy, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Landwehr, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Myers, Neufeld, O’Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber.

Present but not voting: None.

Absent or not voting: Flora, Kirk, Light, Peterson.

The motion of Rep. Sawyer prevailed.

Also, roll call was demanded on motion of Rep. Lane to amend **HB 2482** on page 202, by striking all in lines 17 through 43;

By striking all on pages 203 through 214;

On page 215, by striking all in lines 1 through 39, and inserting the following:

“Sec. 92. (a) In addition to the other purposes for which expenditures may be made by the governor’s department from the governor’s department account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the governor’s department from the governor’s department account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,992.81 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(b) In addition to the other purposes for which expenditures may be made by the lieutenant governor from the operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the lieutenant governor from the operations account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the lieutenant governor equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$1,129.36 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the lieutenant governor for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(c) In addition to the other purposes for which expenditures may be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the secretary of state from the operating expenditures account of the state general fund and one or more special revenue funds for fiscal year 2006 for an additional amount of biweekly compensation for the secretary of state equal to the amount required to provide,

along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (c) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the secretary of state for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(d) In addition to the other purposes for which expenditures may be made by the attorney general from the operating expenditures account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the attorney general from the operating expenditures account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the attorney general equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,567.00 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (d) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the attorney general for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(e) In addition to the other purposes for which expenditures may be made by the state treasurer from one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the state treasurer from one or more special revenue funds for fiscal year 2006 for an additional amount of biweekly compensation for the state treasurer equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (e) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the state treasurer for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(f) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance department service regulation fund for the fiscal year ending June 30, 2006, expenditures shall be made by the insurance department from the insurance department service regulation fund for fiscal year 2006 for an additional amount of biweekly compensation for the commissioner of insurance equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation of \$3,101.81 per biweekly pay period for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (f) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to the commissioner of insurance for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(g) (1) In addition to the other purposes for which expenditures may be made by each state agency from appropriations made for the fiscal year ending June 30, 2006, expenditures shall be made by each state agency from the appropriations made for fiscal year 2006 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of a board for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable to such member of a board under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (g) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of a board for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(2) As used in this subsection (g), (A) “state agency” means any state agency of the executive branch of state government (i) which has appropriations made for the fiscal year ending June 30, 2006, by this act or any other appropriation act of the 2005 regular session of the legislature, and (ii) which is, or which makes expenditures for, any board; and

(B) “board” means any board, commission, committee, task force, panel or other body in the executive branch of state government, including any advisory body, having one or more members who are entitled to receive per diem compensation for attendance at meetings of such body, or attendance at meetings authorized by such body of a subcommittee or other subsidiary group of such body, as provided in K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto.

(h) In addition to the other purposes for which expenditures may be made by the Kansas turnpike authority for the period commencing June 5, 2005, and ending June 30, 2006, expenditures shall be made by the Kansas turnpike authority for such period for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the Kansas turnpike authority for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable to such member of the Kansas turnpike authority under K.S.A. 68-2003 and amendments thereto who is entitled, in accordance with K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (h) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such member of the Kansas turnpike authority for the appropriate pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, and prior to July 1, 2006, is payable by the Kansas turnpike authority.

(i) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature for service at the regular session or any special session of the legislature for any calendar day occurring on or after June 5, 2005, which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislature and for any other public officer or person for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable from appropriations for the legislature to such member of the legislature, public officer or person under K.S.A. 75-3212 or 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (i) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislature, public officials and persons for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(j) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a and amendments thereto, an aggregate amount of allowance of \$324 (1) for the two-week

period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2006 and for each of the 14 ensuing two-week periods thereafter, and (2) for the two-week period which coincides with the biweekly payroll period which includes April 1, 2006, which is chargeable to fiscal year 2006 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2006, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (j) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (j) and which are chargeable to fiscal year 2006.

(k) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2006 for an additional amount of biweekly compensation for the following legislative officers equal to the amount required to provide, along with the amount of biweekly compensation otherwise payable, an aggregate amount of compensation per biweekly pay period for such legislative officers as follows:

(1) For the president of the senate and the speaker of the house of representatives equal to the amount required to provide an aggregate amount of \$506.34 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006;

(2) for the speaker pro tem of the house of representatives, the vice president of the senate, the assistant majority leaders of the senate and house of representatives, and the assistant minority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$258.43 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006;

(3) for the chairperson of the senate committee on ways and means and the chairperson of the house of representatives committee on appropriations equal to the amount required to provide an aggregate amount of \$407.19 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006;

(4) for the majority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006; and

(5) for the minority leaders of the senate and house of representatives equal to the amount required to provide an aggregate amount of \$456.80 per biweekly pay period for services performed in connection with discharging the duties assigned to the respective positions for each biweekly pay period commencing on or after June 5, 2005, which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (k) for such purposes shall be made in the same manner and at the same times that biweekly compensation is payable to such legislative officers under K.S.A. 46-137b and amendments thereto for the biweekly pay periods which commence on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(l) In addition to the other purposes for which expenditures may be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the legislative coordinating council from the legislative coordinating council — operations account of the state general fund for fiscal year 2006 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem

compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative coordinating council for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable from appropriations for the legislative coordinating council under K.S.A. 46-1209 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (l) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative coordinating council for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(m) In addition to the other purposes for which expenditures may be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the division of post audit from the operations (including legislative post audit committee) account of the state general fund for fiscal year 2006:

(1) For an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the legislative post audit committee for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1104 and amendments thereto to such member as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the contract audit committee for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable from appropriations for the division of post audit under K.S.A. 46-1120 and amendments thereto to such member as provided in K.S.A. 75-3223 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (m) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the legislative post audit committee or contract audit committee for the biweekly pay periods for which such per diem compensation is payable for calendar days occurring on or after June 5, 2005, and which are chargeable to fiscal year 2006.

(n) In addition to the other purposes for which expenditures may be made by the judicial branch from the judiciary operations account of the state general fund for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial branch from the judiciary operations account of the state general fund for fiscal year 2006:

(1) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the advisory council on dispute resolution for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable to such member of the advisory council on dispute resolution under K.S.A. 5-505 and amendments thereto who is entitled, in accordance with subsection (e) of K.S.A. 75-3223 and amendments thereto, to receive such per diem compensation as provided in K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and which is chargeable to fiscal year 2006; and

(2) for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each retired justice or judge who performs judicial service or duties under K.S.A. 20-2616 and amendments thereto for each calendar day occurring on or after June 5, 2005, for which per diem compensation is payable to such retired justice or judge under K.S.A. 20-2616 and amendments thereto, and is

chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (n) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the advisory council on dispute resolution or to such retired justices or judges for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(o) In addition to the other purposes for which expenditures may be made by the judicial council from the operating expenditures account of the state general fund and one or more special revenue funds for the fiscal year ending June 30, 2006, expenditures shall be made by the judicial council from the operating expenditures account of the state general fund for fiscal year 2006 for an additional amount of per diem compensation equal to the amount required to provide, along with the amount of per diem compensation otherwise payable, an aggregate amount of compensation of \$83.14 per calendar day for each member of the judicial council and for each regularly appointed member of a special committee of the judicial council who is not a member of the judicial council for any calendar day occurring on or after June 5, 2005, for which per diem compensation is payable to such member of the judicial council or a special committee thereof under K.S.A. 20-2206 and amendments thereto at the rate of compensation in accordance with K.S.A. 75-3212 and amendments thereto at the rate prescribed by subsection (a) of K.S.A. 46-137a and amendments thereto, and is chargeable to fiscal year 2006: *Provided*, That all expenditures under this subsection (o) for such purposes shall be made in the same manner and at the same times that per diem compensation is payable to such members of the judicial council or special committees thereof for the biweekly pay periods for which such per diem compensation for calendar days occurring on or after June 5, 2005, is payable and which are chargeable to fiscal year 2006.

(p) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2006, made by this or other appropriation act of the 2005 regular session of the legislature for additional amounts of compensation for state officers and employees in accordance with the following:

(1) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 5, 2005, and which is chargeable to the fiscal year ending on June 30, 2006, and to be distributed from a salary increase pool: *Provided*, That the average of such increases shall not exceed 2.5% of the base salaries of such officers and employees; and

(2) each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 5, 2005, and which is chargeable to the fiscal year ending June 30, 2006, and to be distributed from a salary increase pool: *Provided*, That the average of such increases shall not exceed 2.5% of the base salaries of such officers and employees of such official, corporation or board. The provisions of this subsection (p)(2) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, or attorney general, or for any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.

(q) (1) There is hereby appropriated for the state finance council from the state general fund for the fiscal year ending June 30, 2006, the sum of \$17,661,347 to be used for the

purpose of paying the proportionate share of the cost to the state general fund of: (A) The salary increases which are provided for by modification of the pay plan for state officers and employees in the classified service under the Kansas civil service act to provide for an increase of 2.5% in the pay rates of such pay plan for biweekly pay periods which are chargeable to the fiscal year ending June 30, 2006; and (B) the salary increases for state officers and employees in the unclassified service under the Kansas civil service act as recommended by the governor in the governor's budget report for fiscal 2006 submitted to the legislature on January 10, 2005.

(2) To pay the proportionate share of the cost to the state general fund of each state agency for the salary increases specified in subsection (q)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (q)(1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state general fund appropriations for the fiscal year ending June 30, 2006.

(3) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2006, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases specified in subsection (q)(1) for the fiscal year ending June 30, 2006.

(4) Each state agency of the executive branch of state government shall prepare and submit a budget estimate for such salary increases specified in subsection (q)(1), and all amendments and revisions of such estimates, to the director of the budget on forms prescribed by the director of the budget. At the same time as each state agency submits such estimate, and all amendments and revisions thereof, each state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.”;

On page 216, in line 7, after “contributions” by inserting “attributable to a 27th payroll period for state agencies or employer contributions for the death and disability benefit under the Kansas public employees retirement system”; in line 32, by subtracting \$13,000,000 from the dollar amount and by adjusting the dollar amount in line 32 accordingly;

On roll call, the vote was: Yeas 52; Nays 70; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Burgess, Burroughs, Carlin, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Gordon, Grant, Hawk, Henderson, Henry, Hill, Holland, Horst, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Mah, McKinney, Menghini, M. Miller, Owens, Pauls, Phelps, Ruff, Ruiz, Sawyer, B. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Wilk, Williams, Winn.

Nays: Aurand, Beamer, Bethell, Brown, Brunk, Carlson, Carter, Colloton, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Grange, Hayzlett, C. Holmes, M. Holmes, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Loyd, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Schwab, Schwartz, S. Sharp, Siegfried, Watkins, Weber, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Light, Peterson, Shultz.

The motion of Rep. Lane did not prevail.

Also, roll call was demanded on motion of Rep. Williams to amend **HB 2482** on page 187, by striking all in lines 3 through 15;

On page 216, in line 32, by subtracting \$5,827,215 from the dollar amount and by adjusting the dollar amount in line 32 accordingly; preceding line 33, by inserting the following:

“(c) The provisions of this section shall not apply to the state highway fund or to any other special revenue fund appropriated for the department of transportation by this or other appropriation act of the 2005 regular session of the legislature.”;

And by redesignating the remaining subsection accordingly;

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

Yeas: Ballard, Burroughs, Carlin, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Hayzlett, Henderson, Henry, Holland, Kelley, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Judy Morrison, Pauls, Phelps, Powers, Ruff, Ruiz, Sawyer, B. Sharp, Showalter, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Williams, Winn.

Nays: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Colloton, Cox, Craft, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hill, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kinzer, Knox, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Peck, Pilcher-Cook, Pottorff, Powell, Roth, Schwab, Schwartz, S. Sharp, Shultz, Siegfried, Sloan, Watkins, Weber, Wilk, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Kilpatrick, Light, Peterson.

The motion of Rep. Williams did not prevail.

Also, on motion of Rep. Gatewood to amend **HB 2482**, the motion did not prevail. Also, on motion of Rep. Sloan to amend, the motion did not prevail.

Also, on motion of Rep. Mast to amend **HB 2482**, Rep. Feuerborn requested the question be divided. The question was divided. Roll call was demanded on Part A of the motion of Rep. Mast to amend on page 53, in line 33, by subtracting \$1,057,520 from the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlson, Carter, Colloton, Cox, Craft, Dahl, DeCastro, Decker, Dillmore, Edmonds, Faber, Flower, George, Goico, Gordon, Grange, Hawk, Hayzlett, Hill, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Loyd, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Peck, Pilcher-Cook, Pottorff, Powell, Roth, Schwab, Schwartz, S. Sharp, Shultz, Siegfried, Sloan, Storm, Swenson, Vickrey, Watkins, Williams, Yoder, Yonally.

Nays: Carlin, Crow, Davis, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, Grant, Henderson, Henry, Holland, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Mah, McKinney, Menghini, M. Miller, Pauls, Phelps, Powers, Ruff, Ruiz, Sawyer, B. Sharp, Showalter, Svaty, Thull, Treaster, Ward, Weber, Wilk, Winn.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part A of the motion of Rep. Mast prevailed.

Also, roll call was demanded on Part B of the motion of Rep. Mast to amend on page 159, in line 31, by adding \$1,057,520 to the dollar amount and by adjusting the dollar amount in line 31 accordingly;

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Weber.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part B of the motion of Rep. Mast prevailed.

Also, on motion of Rep. Kuether to amend **HB 2482**, Rep. Neufeld requested the question be divided. The question was divided. On Part A of the motion to amend, the motion did not prevail. On Part B of the motion to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Krehbiel to amend **HB 2482** on page 89, following line 10, by inserting the following:

“(f) On July 1, 2006, the director of accounts and reports shall transfer \$300,000 from the public broadcasting council grants account of the state general fund of the department of administration and \$50,000 from the arts programming grants and challenge grants account of the state general fund of the Kansas arts commission to the senior care act account of the state general fund of the department on aging.”;

On roll call, the vote was: Yeas 97; Nays 26; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flora, Flower, Garcia, Gatewood, George, Goico, Grange, Grant, Hayzlett, Henry, Hill, Holland, C. Holmes, M. Holmes, Huebert, Huff, Humerickhouse, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Landwehr, Larkin, Long, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Phelps, Pilcher-Cook, Powell, Powers, Ruff, Schwab, Schwartz, S. Sharp, Siegfried, Sloan, Storm, Svaty, Thull, Treaster, Vickrey, Ward, Watkins, Wilk, Williams, Winn, Yonally.

Nays: Ballard, Burgess, Davis, Flaharty, Freeborn, Gordon, Hawk, Henderson, Horst, Huntington, Kuether, Lane, Loganbill, Loyd, Mah, O'Malley, Pottorff, Roth, Ruiz, Sawyer, B. Sharp, Showalter, Shultz, Swenson, Weber, Yoder.

Present but not voting: None.

Absent or not voting: Light, Peterson.

The motion of Rep. Krehbiel prevailed.

Also, on motion of Rep. S. Sharp, **HB 2482** be amended on page 201, preceding line 41, by inserting the following:

“Sec. 91. Notwithstanding the provisions of K.S.A. 77-151 and K.S.A. 2004 Supp. 77-138 and 77-165, and amendments thereto, no state agency shall make expenditures for fiscal year 2006 to provide and deliver a full set of hardbound Kansas Statutes Annotated to each member of the legislature for the 2006 regular session: *Provided, however*, That new members of the legislature shall be entitled to receive one full set of hardbound Kansas Statutes Annotated, including any reissued hardbound volumes and one set of Kansas Statutes Annotated supplements, and expenditures shall be made for fiscal year 2006 to provide and deliver a full set of hardbound Kansas Statutes Annotated to each new member of the legislature, including any reissued hardbound volumes and one set of Kansas Statutes Annotated supplements: *Provided further*, That expenditures shall be made for fiscal year 2006

to provide and deliver to each returning member of the legislature one set of Kansas Statutes Annotated supplements and any reissued hardbound volumes for the 2006 regular session.”;

And by renumbering sections accordingly;

Also, on motion of Rep. Ward, **HB 2482** be amended on page 84, in line 8, by adding \$350,000 to the dollar amount and by adjusting the dollar amount in line 8 accordingly;

Also, on motion of Rep. Hawk to amend **HB 2482**, Rep. Merrick requested the question be divided. The question was divided. Roll call was demanded on Part A of the motion of Rep. Hawk to amend on page 107, in line 7, by adding \$50,000 to the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On roll call, the vote was: Yeas 54; Nays 64; Present but not voting: 0; Absent or not voting: 7.

Yeas: Ballard, Burroughs, Carlin, Colloton, Craft, Crow, Davis, Faust-Goudeau, Feuerborn, Flaharty, Freeborn, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Horst, Huntington, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, O'Malley, Owens, Pauls, Phelps, Pottorff, Roth, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Williams, Winn, Yonally.

Nays: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Cox, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Huebert, Huff, Humerickhouse, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Schwartz, Shultz, Siegfried, Sloan, Watkins, Weber, Wilk, Yoder.

Present but not voting: None.

Absent or not voting: Dillmore, Flora, Kelley, Light, Peterson, Powers, Schwab.

Part A of the motion of Rep. Hawk did not prevail.

Also, on Part B of the motion of Rep. Hawk to amend, the motion did not prevail.

Also, on motion of Rep. Neufeld to amend **HB 2482**, Rep. McCreary requested the question be divided. The question was divided. Rep. McCreary asked that his request be withdrawn. There was objection. Roll call was demanded on Part A of the motion of Rep. Neufeld to amend on page 111, in line 15, by subtracting \$999,690 from the dollar amount and by adjusting the dollar amount in line 15 accordingly;

On roll call, the vote was: Yeas 63; Nays 58; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Jack, D. Johnson, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Hayzlett, Huff, Light, Peterson.

Part A of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part B of the motion of Rep. Neufeld to amend **HB 2482** on page 113, in line 33, by subtracting \$4,939,066 from the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On roll call, the vote was: Yeas 61; Nays 59; Present but not voting: 0; Absent or not voting: 5.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Grange, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Jack, D. Johnson, Kirk, Knox, Kuether, Lane, Larkin, Loganbill, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Gordon, Hayzlett, Light, Long, Peterson.

Part B of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part C of the motion of Rep. Neufeld to amend **HB 2482** on page 116, in line 37, by subtracting \$2,205,790 from the dollar amount and by adjusting the dollar amount in line 37 accordingly;

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

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Sawyer, Schwab, Schwartz, S. Sharp, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Jack, D. Johnson, Kirk, Knox, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, B. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Huff, Light, Peterson.

Part C of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part D of the motion of Rep. Neufeld to amend **HB 2842** on page 118, in line 31, by subtracting \$502,295 from the dollar amount and by adjusting the dollar amount in line 31 accordingly;

On roll call, the vote was: Yeas 62; Nays 61; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Jack, D. Johnson, Kirk, Knox, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part D of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part E of the motion of Rep. Neufeld to amend **HB 2842** on page 120, in line 10, by subtracting \$958,753 from the dollar amount and by adjusting the dollar amount in line 10 accordingly;

On roll call, the vote was: Yeas 63; Nays 60; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Svaty, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burgess, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry, Hill, Holland, Huff, Huntington, Jack, D. Johnson, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, Mast, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part E of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part F of the motion of Rep. Neufeld to amend **HB 2842** on page 122, in line 33, by subtracting \$948,049 from the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On roll call, the vote was: Yeas 62; Nays 59; Present but not voting: 1; Absent or not voting: 3.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Olson, Otto, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Swenson, Watkins, Weber, Wilk.

Nays: Ballard, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Jack, D. Johnson, Kirk, Knox, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Oharah, Owens, Pauls, Peck, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Thull, Treaster, Vickrey, Ward, Williams, Winn, Yoder.

Present but not voting: Gatewood.

Absent or not voting: Light, Peterson, Yonally.

Part F of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part G of the motion of Rep. Neufeld to amend **HB 2842** on page 124, in line 43, by subtracting \$6,153,502 from the dollar amount and by adjusting the dollar amount in line 43 accordingly;

On roll call, the vote was: Yeas 61; Nays 60; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Goico, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Grant, Hawk, Henderson, Henry,

Hill, Holland, Huff, Huntington, Jack, D. Johnson, Kirk, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Carter, Light, Otto, Peterson.

Part G of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part H of the motion of Rep. Neufeld to amend **HB 2842** on page 128, in line 27, by subtracting \$4,613,190 from the dollar amount and by adjusting the dollar amount in line 27 accordingly;

On roll call, the vote was: Yeas 62; Nays 61; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Bethell, Brown, Brunk, Burgess, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Hutchins, Huy, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Goico, Grant, Hawk, Henderson, Henry, Hill, Holland, Huff, Huntington, Jack, D. Johnson, Kirk, Krehbiel, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part H of the motion of Rep. Neufeld prevailed.

Also, roll call was demanded on Part I of the motion of Rep. Neufeld to amend **HB 2842** on page 131, in line 43, by subtracting \$2,302,019 from the dollar amount and by adjusting the dollar amount in line 43 accordingly;

On roll call, the vote was: Yeas 62; Nays 61; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Bethell, Brown, Burgess, Carlson, Carter, Dahl, DeCastro, Decker, Edmonds, Faber, Flower, Freeborn, George, Gordon, Grange, Hayzlett, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Knox, Krehbiel, Landwehr, Mast, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Neal, Oharah, Olson, Otto, Peck, Pilcher-Cook, Powell, Powers, Roth, Schwab, Schwartz, Shultz, Siegfried, Vickrey, Watkins, Weber, Wilk.

Nays: Ballard, Brunk, Burroughs, Carlin, Colloton, Cox, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Goico, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Huy, Jack, Kirk, Kuether, Lane, Larkin, Loganbill, Long, Loyd, Mah, McKinney, Menghini, M. Miller, Newton, Novascone, O'Malley, Owens, Pauls, Phelps, Pottorff, Ruff, Ruiz, Sawyer, B. Sharp, S. Sharp, Showalter, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Ward, Williams, Winn, Yoder, Yonally.

Present but not voting: None.

Absent or not voting: Light, Peterson.

Part I of the motion of Rep. Neufeld prevailed; and **HB 2842** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HCR 5016** be amended on page 1, after line 25, by inserting the following:

“WHEREAS, Currently, Taiwan has imposed a ban on the importation of U.S. beef and beef products; and

WHEREAS, There has been only one case of BSE in the United States originating from a cow imported from Canada, and the United States has imposed a ban on the importation of Canadian beef; and”;

Also on page 1, after line 40, by inserting the following:

“*Be it further resolved:* That we encourage Taiwan to lift the ban on the importation of U.S. beef and beef products; and”;

Also on page 1, in the title, in line 10, after “agreement” by inserting “and encouraging Taiwan to lift the ban on the importation of U.S. beef and beef products”; and the concurrent resolution be adopted as amended.

Committee on **Appropriations** recommends **HB 2518** be passed.

Committee on **Appropriations** recommends **SB 8** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Appropriations** recommends **HB 2228** be amended on page 2, in line 13, before “approve” by inserting “, with the recommendation of the committee.”; in line 20, by striking “and”; in line 21, by striking “services”; in line 33, before “by” by inserting “in Kansas”; by striking all in lines 37 through 42 and inserting “The provisions of K.S.A. 75-3317 through 75-3322, and amendments thereto, shall not be construed to require a unified school district to purchase services offered by qualified vendors under this act.”;

On page 3, in line 2, by striking “department of administration” and inserting “director of purchases”; in line 9, by striking all after “(b)”; in line 10, by striking “of purchases.”; in line 21, by striking “certified” and inserting “reviewed and approved”; in line 27, after “catalog of” by inserting “approved”; in line 30, by striking all after “(d)”; by striking all in lines 31 through 33; in line 34, by striking “and amendments thereto.” and inserting “The director of purchases may amend such list from time to time in accordance with recommendations by the committee.

(e)”;

On page 4, in line 4, by striking “or services”; in line 7, before the period, by inserting “or when those services are to be procured by or for the state. Services offered for purchase are not required to be purchased by a unified school district”; in line 13, before “state” by inserting “director of purchases by the”; in line 14, by striking “by the”; in line 16, before “director” by inserting “. If approved by the”; also in line 16, by striking “and” where it appears for the first time; in line 31, by striking “7” and inserting “9”; following line 42, by inserting:

“(6) Two members of the Kansas legislature, one legislator shall be a member of the majority party and one legislator shall be a member of the minority party, and shall be appointed by the governor.”;

On page 5, by striking all in lines 6 through 9; in line 17, by striking all after “(2)”; by striking all in line 18; in line 19, by striking “(3)”;

And by renumbering the remaining subsections accordingly;

Also on page 5, in line 24, by striking “any bid for”; also in line 24, after “purchase” by inserting “from a qualified vendor”; in line 27, by striking “Establish” and inserting “Adopt”; following line 43, by inserting:

“(f) The committee shall maintain a registry of entities which meet the definition of qualified vendor, as defined by K.S.A. 75-3317, and amendments thereto.

(g) The director of purchases shall convene quarterly meetings with qualified vendors, the state use law committee and agencies to discuss activity occurring under the state use law.”; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2301** be amended on page 2, in line 7, by striking “\$600,000” and by inserting “\$300,000”; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2512** be amended by substituting a new bill to be designated as “Substitute for HOUSE BILL No. 2512,” as follows:

“Substitute for HOUSE BILL No. 2512

By Committee on Appropriations

“AN ACT concerning the health care stabilization fund; relating to certain expenditures.”; and the substitute bill be passed.

(**Sub. HB 2512** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **SB 225** be amended on page 11, in line 25, by striking “motor carrier tax refund fund” and inserting “operating expenditures account of the state general fund”;

On page 13, in line 38, before “The” by inserting “(a)”;

On page 14, following line 8 by inserting:

“(b) The department of revenue is hereby authorized and directed to pay the following amount from the special fuel refund fund as reimbursement for a claim for refund for lost or destroyed fuel which was filed in an untimely manner, to the following claimant:

John Lopp
Lopp Oil Co. Inc.
P.O. Box 334
Columbus, KS 66725 \$774.80

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund as reimbursement for attorney fees and associated expenses related to challenging a tax warrant and lien which was dismissed, to the following claimant:

Melissa A. Vinson
1730 Candance Lane
El Dorado, KS 67042 \$1,588.28”;

Also on page 14, following line 18 by inserting:

“(b) The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Troy G. Stites
2337 North Parkridge Court
Wichita, KS 67205 \$542.00”;

Also on page 14, by striking all in lines 19 through 43;

On page 15, by striking all in lines 1 through 11; following line 11 by inserting:

“Sec. 9 The Kansas animal health department is hereby authorized and directed to pay the following amount from the animal disease control fund as reimbursement for injuries to claimant’s impounded horses while in the custody of the Hutchinson correctional facility following seizure, and related expenses incurred by claimant in obtaining release of such horses, to the following claimant:

Lyle Hanschu
3536 U.S. Hwy. 56
Lost Springs, KS 66859 \$5,000.00”;

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 223**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 223,” as follows:

“HOUSE Substitute for SENATE BILL No. 223

By Committee on Financial Institutions

“AN ACT relating to the office of the state bank commissioner; concerning the regulation of consumer and mortgage lending; K.S.A. 9-2203, 9-2205, 9-2208, 9-2209, 9-2211, 9-2216, 9-2218, 16a-3-205, 16a-5-103, 16a-5-111 and 16a-6-201 and K.S.A. 2004 Supp. 16a-2-103, 16a-2-302, 16a-2-303, 16a-2-304, 16a-2-404, 16a-3-304, 16a-3-308a, 16a-6-104, 16a-6-108 and 16a-6-203 and repealing the existing sections.”; and the substitute bill be passed.

(**H. Sub. for SB 223** was thereupon introduced and read by title.)

Committee on **Governmental Organization and Elections** recommends **SB 132** be amended on page 4, in line 41, by striking “At the bottom of” and inserting “On”;

On page 5, in line 43, by striking “used and ballots and ballot stubs” and inserting “and ballots”;

On page 7, in line 29, by striking “or”; in line 30, by striking “fewer”; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2503**; **SB 216** be passed.

Committee on **Health and Human Services** recommends **HR 6021** be adopted.

Committee on **Higher Education** recommends **SB 74** be amended on page 1, in line 26, following “a” by inserting “plan for a”; in line 31, following the period, by inserting “Development of such plan shall be subject to input from affected classified employees.”; in line 39, following the period, by inserting “Any such election held after the effective date of this act shall be preceded by an official announcement providing at least 90 days notice of the date, time and place of the election. After a vote of approval, the state educational institution shall provide all affected employees with opportunities for input into the development of the plan that is to be presented to the state board of regents.”; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 121** be passed.

Committee on **Judiciary** recommends **SB 7** be amended on page 1, in line 23, before “subject” by inserting “known by the parent to be”; in line 27, by striking “has” and inserting “is known by the parent to have”;

On page 5, by striking all in lines 2 through 7; in line 8, by striking “(iii) is” and inserting “(i) Is”; in line 12, by striking “(iv)” and inserting “(ii)”;

Committee on **Judiciary** recommends **SB 258** be amended on page 8, in line 16, by striking “form of legal documents” and inserting “forms for consent and relinquishment”;

On page 13, by striking all in lines 41 and 42; in line 43, by striking “Such forms” and inserting “Forms”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 58, SB 256** be passed.

Committee on **Taxation** recommends **HB 2406** be amended on page 1, in line 26, before “real” by inserting “taxable”; in line 27, by striking all after “property”; in line 28, by striking all before the comma; in line 29, by striking “mill levy” and inserting “property tax”; in line 41, by striking “mill levy” and inserting “tax”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 13**, as amended by Senate Committee, be amended on page 3, in line 42, after the period, by inserting “Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney, county attorney and attorney general shall have authority to prosecute violations of this paragraph.”;

On page 6, in line 30, after the period, by inserting “Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney, county attorney and attorney general shall have authority to prosecute any violation of this section if the offender is a city or county clerk or treasurer or finance officer of a city or county.”;

On page 12, after line 29, by inserting the following:

“Sec. 9. K.S.A. 75-702 is hereby amended to read as follows: 75-702. The attorney general shall appear for the state, and prosecute and defend all actions and proceedings, civil or criminal, in the supreme court, in which the state shall be interested or a party, and shall also, when required by the governor or either branch of the legislature, appear for the state and prosecute or defend, in any other court or before any officer, in any cause or matter, civil or criminal, in which this state may be a party or interested or when the constitutionality of any law of this state is at issue and when so directed shall seek final resolution of such issue in the supreme court of the state of Kansas. *The attorney general shall have authority to prosecute any matter related to a violation of K.S.A. 12-189 or 75-5133, and amendment thereto, related to unlawful acts when the offender is an officer or employee of a city or county.*”;

And by renumbering sections accordingly;

Also on page 12, in line 30, after “K.S.A.” the first time it appears, by inserting “75-702.”;

On page 1, in the title, in line 11, after the semicolon, by inserting “penalties.”; also in line 11, after “K.S.A.” by inserting “75-702.”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 126** be amended on page 6, after line 5, by inserting the following:

“New Sec. 3. (a) The following described property, to the extent specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of Kansas:

Any building constructed on property of a state educational institution under the supervision of the state board of regents, owned by a municipality and operated by a Kansas not-for-profit entity comprised of one or more state universities and municipalities for the purpose of strategic technology acquisition and commercialization, and any personal property located therein.

(b) The provisions of this section shall apply to all taxable years commencing after December 31, 2004.”;

And by renumbering sections accordingly;

On page 1, in the title, in line 12, after the semicolon, by inserting “exemptions;” and the bill be passed as amended.

Committee on **Taxation** recommends **SB 192** be amended on page 5, in line 12, by striking “produce” and inserting “collect, refine or treat”; also in line 12, by striking “and” and inserting “or”; in line 13, by striking “common carrier” and inserting “transmission pipeline”; and the bill be passed as amended.

Committee on **Transportation** recommends **HCR 5014** be adopted.

Committee on **Transportation** recommends **SB 119** be amended on page 2, in line 35, by striking “assisting businesses in producing” and inserting “providing businesses with statistical reports on”; in line 36, by striking “statistical reports,”; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2519** be passed.

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 2528, An act concerning animals; abolishing the animal health department; creating the animal health division within the department of agriculture; transferring certain powers and duties of the livestock commissioner and the animal health department of the Kansas department of agriculture; amending K.S.A. 47-239, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-612, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001e, 47-1501, 47-1506, 47-1511, 47-1701, 47-1702, 47-1703, 47-1704, 47-1706, 47-1707, 47-1709, 47-1712, 47-1713, 47-1715, 47-1719, 47-1720, 47-1723, 47-1727, 47-1735, 47-1804, 47-1808, 47-1832, 65-171i, 66-1319, 75-1901 and 75-1903 and K.S.A. 2004 Supp. 47-417a, 47-437, 47-611, 47-624, 47-672, 47-816, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1307, 47-1503, 47-1706a, 47-1721, 47-1805, 47-1809, 47-1831 and 47-2101 and repealing the existing sections; also repealing K.S.A. 74-4002 and 75-3142 and K.S.A. 2004 Supp. 74-4001, by Committee on Appropriations.

HB 2529, An act concerning grand juries; relating to petitions; amending K.S.A. 22-3001 and repealing the existing section, by Committee on Appropriations.

HB 2530, An act concerning natural gas; relating to curtailment of service to certain consumers; prescribing procedures related thereto; amending K.S.A. 66-105a and repealing the existing section, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2200, **HB 2309** reported correctly engrossed March 16, 2005.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on pages 418-420, **HB 2842** should read **HB 2482**.

On motion of Rep. Aurand, the House adjourned until 10:30 a.m., Friday, March 18, 2005.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

