

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 15, 2001, 11:00 a.m.

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

The roll was called with 123 members present.

Rep. Flaharty was excused on verified illness.

Rep. Howell was excused on legislative business.

Prayer by the Rev. Thomas E. Miller, pastor, First Christian Church, Hartford, and guest of Rep. P. Long:

Eternal God, our Heavenly Father, this morning we come to you seeking your guidance and wisdom. It is our prayer that you pour out on this body of gentlemen and gentlewomen the person of the Holy Spirit. Lord we ask that you anoint each person here in this great room for wisdom, for kindness and for sensitivity. Give to them a conciliatory spirit, so as to bring them together in unity.

Father help each one to set aside any personal agenda that would prevent them from acting in the best interest of the common good for this wonderful state that you have given to us to make our homes and raise our families in. Bless each one in their endeavors of government. In His name we humbly pray. Amen.

The Pledge of Allegiance was led by Rep. McKinney.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2509, An act concerning the Kansas tort claims act; relating to the Kansas guardianship program; amending K.S.A. 2000 Supp. 75-6102 and repealing the existing section; also repealing K.S.A. 2000 Supp. 75-6102a, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture: **HCR 5020**.

Appropriations: **HB 2504**, **HB 2507**.

Environment: **HB 2506**.

Judiciary: **HB 2508**.

New Economy: **HB 2505** (separately).

Taxation: **HB 2505** (separately).

Transportation: **HB 2503**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 35**, **SB 37**, **SB 47**, **SB 60**, **SB 63**, **SB 66**, **SB 74**, **SB 97**, **SB 98**, **SB 107**, **SB 115**, **SB 119**, **SB 125**, **SB 148**, **SB 213**, **SB 242**, **SB 253**.

Also, adoption of **SCR 1607**.

Announcing passage of **HB 2022**.

Also, announcing passage of **SB 73**, **SB 101**, **SB 163**, **SB 216**, **SB 252**.

Announcing passage of **HB 2038**, as amended.

The Senate nonconcur in House amendments to **SB 18**, requests a conference and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 35, SB 37, SB 47, SB 60, SB 63, SB 66, SB 73, SB 74, SB 97, SB 98, SB 101, SB 107, SB 115, SB 119, SB 125, SB 148, SB 163, SB 213, SB 216, SB 242, SB 252, SB 253; SCR 1607.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, the House acceded to the request of the Senate for a conference on **SB 18**.

Speaker Glasscock thereupon appointed Reps. Wilk, Neufeld and Minor as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2055, HB 2198; HCR 5008** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2252** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2040. An act concerning real estate owned by state agencies; relating to surplus real estate; amending K.S.A. 75-3516 and K.S.A. 2000 Supp. 75-6609 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Findley, Flora, Freeborn, Garner, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafari, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Feuerborn, Gatewood, Light, Minor, Osborne, Pottorff.

Present but not voting: None.

Absent or not voting: Flaharty, Howell.

The bill passed, as amended.

Sub. HB 2129. An act concerning certain commissions and councils; relating to the membership thereof; amending K.S.A. 2000 Supp. 74-9201 and 75-7202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 9; Present but not voting: 1; Absent or not voting: 2.

Yeas: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Pat-

terson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Crow, Dillmore, Henderson, Klein, Pyle, Spangler, Swenson, Vickrey.

Present but not voting: Nichols.

Absent or not voting: Flaharty, Howell.

The substitute bill passed, as amended.

HB 2155. An act concerning school safety; revising the definition of weapon; amending K.S.A. 2000 Supp. 72-89a01 and 72-89c01 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: Flaharty, Howell.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that committee report recommending a substitute bill to **Sub. HB 2077** be adopted; and the substitute bill be passed.

Committee report to **HB 2136** be adopted; and the bill be passed as amended.

Committee report to **HB 2173** be adopted; and the bill be passed as amended.

Committee report to **HB 2174** be adopted; and the bill be passed as amended.

Committee report to **HB 2175** be adopted; and the bill be passed as amended.

Committee report to **HB 2007** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Education** recommends **HB 2217** be passed.

The Committee on **Higher Education** recommends **HB 2190** be amended on page 2, in line 4, after the period, by inserting "Prior to construction of any new building or remodeling of any existing building, all community colleges, area vocational schools, area vocational-technical schools, technical colleges and institutions under the governance of the state board of regents shall submit to the state fire marshal a code footprint for evaluation and approval of the fire/life safety features of such buildings."; and the bill be passed as amended.

The Committee on **Higher Education** recommends **HB 2270** be amended on page 2, in line 33, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2297** 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 2510. An act relating to income taxation; providing a check-off for senior citizen pharmaceutical assistance, by Committee on Taxation.

HB 2511. An act relating to income taxation; providing check-offs for school district contributions, by Committee on Taxation.

HB 2512. An act relating to sales taxation; concerning times for payment thereof; amending K.S.A. 79-3607 and repealing the existing section, by Committee on Taxation.

REPORT ON ENGROSSED BILLS

HB 2040, Sub. HB 2129, HB 2155 reported correctly engrossed February 15, 2001.

REPORT ON ENROLLED RESOLUTIONS

HR 6009 reported correctly enrolled and properly signed on February 15, 2001.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Friday, February 16, 2001.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

