

Journal of the House

THIRTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 22, 2001, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Aurand in the chair.
The roll was called with 124 members present.
Rep. Henderson was excused on excused absence by the Speaker.
Present later: Rep. Henderson.

Prayer by guest chaplain, the Rev. Jeff Hunt, pastor, Cornerstone Community Church, Hutchinson, and guest of Rep. Kauffman:

Creator God, we bow before you today acknowledging Your existence and sovereign rule over these proceedings. We acknowledge that you alone are God and that we have no authority to govern apart from your establishment of government. And so, Lord, we humbly submit to your leadership this day and ask you to lead us in truth. May we truly be your servants for good as we . . .

honor you as God,

remember your leadership in our lives,

and respect those you have placed in authority over us.

May we prove diligent, Lord as we . . .

preserve and protect life,

strive for faithfulness in every relationship in our lives,

and regard other people's possessions as a sacred trust.

May we honor one another, Lord, as we . . .

esteem others as we desire to be esteemed,

find contentment in the provisions you have given.

We lift these requests before you in the Name of Jesus Christ, Amen.

The Pledge of Allegiance was led by Rep. Myers.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Aurand announced the following bills, appearing on the Calendar as "To Be Referred," are referred to committees as indicated:

Appropriations: **HB 2538, HB 2540, HB 2541.**

Calendar and Printing: **HCR 5022.**

Ethics and Elections: **SB 192.**

Federal and State Affairs: **HCR 5021; Sub. SB 62, SB 178.**

Health and Human Services: **SB 160, SB 212, SB 239.**

Higher Education: **SB 11.**

Judiciary: **HB 2539; SB 195, SB 209.**

Tourism: **SB 155.**

CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **HB 2296** from Committee on Judiciary and referral to Committee on Calendar and Printing.

MESSAGE FROM THE SENATE

Announcing passage of **Sub. SB 36, SB 183, SB 184, SB 218, SB 220.**

Also, announcing passage of **HB 2056**.

Announcing passage of **HB 2035**, as amended by **S. Sub. for HB 2035**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub. SB 36, SB 183, SB 184, SB 218, SB 220.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, in accordance with House Rule 2306, **HB 2086** was withdrawn from the calendar under the heading General Orders and referred to Committee on Appropriations.

Also, on motion of Rep. Weber, in accordance with House Rule 2306, **HB 2023** was withdrawn from the calendar under the heading General Orders and referred to Committee on Appropriations.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Phelps, **HCR 5023**, A concurrent resolution celebrating the 100th anniversary of the authorization of Fort Hays State University by the State of Kansas, was adopted.

Reps. Phelps and Johnson addressed a few remarks to the members of the House in recognition of Fort Hays State University and the celebration.

CONSENT CALENDAR

No objection was made to **HB 2124, HB 2210** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2263** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2263, An act concerning group funded workers compensation pools; relating to refunds therefrom; amending K.S.A. 44-585 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The bill passed.

HB 2059, An act relating to health care; establishing a state renal disease fund, 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: 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, Flaharty, Flora, Freeborn, Garner, Gate-wood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, How-ell, 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, Mc-Leland, 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: Henderson.

The bill passed, as amended.

HB 2075, An act concerning juveniles; relating to fingerprinting of alleged juvenile of-fenders; amending K.S.A. 38-1611 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 27; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Huebert, Huff, Huy, Johnson, Kauffman, Klein, Kline, Krehbiel, Landwehr, Lane, Larkin, Levinson, Light, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neu-feld, Newton, Novascone, O'Brien, O'Neal, Ostmeyer, Palmer, Patterson, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Tomlin-son, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams.

Nays: Alldritt, Aurand, Ballard, Ballou, Barnes, Cook, Crow, Garner, Howell, Humerick-house, Hutchins, Kirk, Kuether, Lightner, Loganbill, M. Long, McClure, Nichols, Osborne, Pauls, Reardon, Shriver, Spangler, Thimesch, Vickrey, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed.

HB 2083, An act concerning criminal procedure; relating to arrest; release on appearance bond; amending K.S.A. 22-2809 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: 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, Flaharty, Flora, Freeborn, Garner, Gate-wood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, How-ell, 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, Mc-Leland, 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: Henderson.
The bill passed, as amended.

HB 2120. An act concerning amusement rides; relating to inspection and regulation thereof; prohibiting certain acts and providing penalties and remedies for violations; also repealing K.S.A. 40-4801, 40-4802, 40-4803 and 40-4804, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Ballard, Barnes, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dillmore, Dreher, Feuerborn, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kirk, Kline, Krehbiel, Kuether, Lane, Larkin, Levinson, Lloyd, Loganbill, M. Long, Loyd, Mays, McClure, McKinney, Minor, Myers, Newton, Nichols, Novascone, O'Brien, O'Neal, Ostmeyer, Patterson, Pauls, E. Peterson, Phelps, Pottorff, T. Powell, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Toplikar, Vickrey, Wells, Welshimer, Wilk, D. Williams, Winn.

Nays: Alldritt, Aurand, Ballou, Beggs, Cook, Dahl, DeCastro, DiVita, Edmonds, Faber, Garner, Gordon, Grant, Hayzlett, Howell, Huebert, Huy, Kauffman, Klein, Landwehr, Light, Lightner, P. Long, Mason, Mayans, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Neufeld, Osborne, Palmer, J. Peterson, L. Powell, Powers, Pyle, Spangler, Tomlinson, Weber, J. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote 'No' on **HB 2120**. When we think of carnivals, we think of tremendous attractions packed with millions of dollars worth of rides and games. In reality, most Kansas carnivals are small and independent with one or two rides for the children that attend the town's festival. Carnivals that could go out of business if this bill becomes law.

So who really benefits? The insurance companies and trial lawyers, and the legislators who can feel good for 'saving the children.'

And all that is lost is a nameless entrepreneur, the sound of vintage model cars clattering on a wooden platform, and, perhaps, the twinkle in the eye of a child.—CLAY AURAND

HB 2127. An act concerning public health, relating to testing for infectious diseases; information available to corrections employees; amending K.S.A. 2000 Supp. 65-6015, 65-6016 and 65-6017 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The bill passed, as amended.

HB 2133. An act amending the multipurpose small lakes program act; amending K.S.A. 82a-1602, 82a-1603, 82a-1604, 82a-1605 and 82a-1606 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The bill passed, as amended.

HB 2134. An act concerning solid waste; amending K.S.A. 2000 Supp. 65-3402, 65-3407, 65-3407c, 65-3409 and 65-3415 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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, 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, 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, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Cook, Miller, L. Powell, Weber.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

HB 2154. An act concerning providers of care services; employment of persons by such providers; amending K.S.A. 39-970 and K.S.A. 2000 Supp. 65-5117 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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, Mc-

Leland, 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: Henderson.

The bill passed, as amended.

HB 2176. An act concerning crimes and punishment; relating to unlawful sexual relations; amending K.S.A. 2000 Supp. 21-3520 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The bill passed, as amended.

HB 2207. An act concerning criminal procedure; relating to abatement of common nuisances; amending K.S.A. 22-3901 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kauffman, Kirk, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, 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: Cook, Dahl, Faber, Howell, Huebert, Huy, Klein, Mays, Osborne, Rehorn.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed.

HB 2224. An act concerning the negotiation and approval of 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 111; Nays 13; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Beggs, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Krehbiel, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, P. Long, Loyd, Mason, 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, Ruff, Schwartz, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, Wilson.

Nays: Barnes, Benlon, Klein, Kline, Kuether, M. Long, Mayans, Reardon, Rehorn, Sharp, Spangler, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

HB 2289, An act concerning school safety; revising the definition of weapon; providing for suspension of the driver's license or privilege to drive of pupils for the commission of certain acts at school, on school property or at school-supervised activities; amending K.S.A. 2000 Supp. 72-89a01, 72-89c01 and 72-89c02 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 73; Nays 51; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Beggs, Benlon, Bethell, Boston, Burroughs, Compton, Dahl, DeCastro, DiVita, Dreher, Feuerborn, Freeborn, Glasscock, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Huy, Johnson, Klein, Krehbiel, Landwehr, Levinson, Light, Lloyd, Loyd, Mason, Mayans, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Patterson, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Pyle, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Tafanelli, Tanner, Tomlinson, Toplikar, Weber, Wells, Wilk, D. Williams, J. Williams, Wilson.

Nays: Alldritt, Aurand, Ballard, Ballou, Barnes, Campbell, Cook, Cox, Crow, Dillmore, Edmonds, Faber, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Gordon, Howell, Huebert, Kauffman, Kirk, Kline, Kuether, Lane, Larkin, Lightner, Loganbill, M. Long, P. Long, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Nichols, Palmer, Pauls, Powers, Schwartz, Spangler, Swenson, Thimesch, Toelkes, Vickrey, Welshimer, Winn.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

HB 2328, An act concerning substance abuse; relating to abusing toxic vapors; concerning possession of a controlled substance; amending K.S.A. 38-1663 and K.S.A. 2000 Supp. 65-4162 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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, T. Powell, Powers, Pyle, Ray, Reardon, 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: Aurand, Cook, Faber, L. Powell, Rehorn.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote "yes" on **HB 2328**. Democrats attempted to politicize the debate by offering an unnecessary amendment related to mandatory sentencing for crimes motivated by "hate." We addressed hate crimes responsibly several years ago when we gave sentencing judges the power to enhance sentences where they find the crime was motivated by race, color, religion, ethnicity, national origin or sexual orientation of the victim. The proposed amendment would have limited that discretion and was totally unnecessary.—MICHAEL R. O'NEAL, WARD LOYD, CLAY AURAND

HB 2457. An act concerning physician assistants; statutory references to the physician assistants licensure act; amending K.S.A. 2000 Supp. 65-1626, 65-2836, 65-4101 and 65-6112 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 65-1626b and 65-2836a, 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The bill passed, as amended.

HB 2471. An act creating the Kansas natural resource legacy alliance; providing for development of a vision for the state's natural resources, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 31; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aday, Alldritt, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, DeCastro, Dillmore, DiVita, Dreher, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, Mayans, McClure, McKinney, McLeland, Merrick, Minor, Jim Morrison, Myers, Newton, Nichols, Novascone, O'Brien, O'Neal, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aurand, Ballou, Cook, Dahl, Edmonds, Faber, Howell, Huebert, Kauffman, Klein, P. Long, Loyd, Mason, Mays, McCreary, Miller, Judy Morrison, Neufeld, Osborne, Ost-

meyer, Palmer, L. Powell, T. Powell, Powers, Pyle, Spangler, Swenson, Vickrey, Weber, Wilk, D. Williams.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

HCR 5009, A concurrent resolution urging the Congress of the United States to address the conservation and preservation of the High Plains Aquifer, 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The resolution was adopted, as amended.

HCR 5011, A concurrent resolution memorializing the Congress of the United States to provide lifetime health care benefits for military retirees and their families, 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: 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, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, 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: Henderson.

The resolution was adopted.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Edmonds, the House nonconcurrred in Senate amendments to **HB 2029** and asked for a conference.

Speaker pro tem Aurand thereupon appointed Reps. Edmonds, Huff and Larkin as conferees on the part of the House.

On motion of Rep. Weber, the House went 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 **HB 2185**, **HB 2206** be passed.

HB 2234 (see further action, Committee of the Whole, afternoon session), **HB 2191**, **HB 2367** be passed over and retain a place on the calendar.

Committee report to **HB 2313** be adopted; and the bill be passed as amended.

Committee report to **HB 2098** be adopted; and the bill be passed as amended.

On motion of Rep. Loyd **HB 2297** be amended on page 1, in line 15, by striking "2001" and inserting "2002"; also in line 15, by striking "2002" and inserting "2003"; in line 17, by striking "2002" and inserting "2003"; also in line 17, by striking "2003" and inserting "2004"; in line 19, by striking "2003" and inserting "2004"; also in line 19, by striking "2004" and inserting "2005"; in line 21, by striking "2004" and inserting "2005";

On page 2, in line 32, by striking "9, 2006" and inserting "10, 2005"; in line 35, by striking "14," and inserting "8,;" in line 36, by striking "2008" and inserting "2007"; and **HB 2297** be passed as amended.

Committee report to **HB 2131** be adopted; and the bill be passed as amended.

Committee report to **HB 2246** be adopted; and the bill be passed as amended.

Committee report to **HB 2171** be adopted; also, on motion of Rep. Loyd to amend, the motion did not prevail. Also, on further motion of Rep. Loyd be amended on page 2, following line 34, by inserting:

"Section 1. K.S.A. 2000 Supp. 19-101d is hereby amended to read as follows: 19-101d.

(a) (1) The board of county commissioners of any county shall have the power to enforce all resolutions passed pursuant to county home rule powers, as designated by K.S.A. 19-101c and amendments thereto. Such resolutions may be enforced by enjoining violations thereof or by prescribing penalties for violations of such resolutions, either by fine, or by confinement in the county jail, or by both such fine and confinement. Unless otherwise provided by the resolution that defines and makes punishable the violation of such resolution, the penalty imposed shall be in accordance with the penalties established by law for conviction of a class C misdemeanor. In no event shall the penalty imposed for the violation of a resolution exceed the penalties established by law for conviction of a class B misdemeanor.

(2) Prosecution for any such violation shall be commenced in the district court in the name of the county and, except as provided in subsection (b), shall be conducted in the manner provided by law for the prosecution of misdemeanor violations of state laws. Writs and process necessary for the prosecution of such violations shall be in the form prescribed by the judge or judges of the courts vested with jurisdiction of such violations by this act, and shall be substantially in the form of writs and process issued for the prosecution of misdemeanor violations of state laws. Each county shall provide all necessary supplies, forms and records at its own expense.

(b) (1) In addition to all other procedures authorized for the enforcement of county codes and resolutions, in any county with a population in excess of ~~150,000~~ 30,000, the prosecution for violation of codes and resolutions adopted by the board of county commissioners may be commenced in the district court in the name of the county and may be conducted, except as otherwise provided in this section, in the manner provided for and in accordance with the provisions of the code for the enforcement of county codes and resolutions.

(2) For the purposes of aiding in the enforcement of county codes and resolutions, the board of county commissioners may employ or appoint code enforcement officers for the county who shall have power to sign, issue and execute notices to appear and uniform citations or uniform complaints and notices to appear, as provided in the appendix of forms of the code contained in this act to enforce violations of county codes and resolutions, but shall have no power to issue warrants or make arrests. All warrants shall be issued and arrests made by law enforcement officers pursuant to and in the manner provided in chapter 21 of the Kansas Statutes Annotated.

(3) The board of county commissioners may employ or appoint attorneys for the purpose of prosecuting actions for the enforcement of county codes and resolutions, and such at-

torneys shall have the duties, powers and authorities provided by the board as necessary to prosecute actions under the code.

(4) All costs for the enforcement and prosecution of violations of county codes and resolutions, except for compensation and expenses of the district court judge, shall be paid from the revenues of the county and, the board of county commissioners may establish a special law enforcement fund for the purpose of paying for the costs of code enforcement within the county. In addition, the board of county commissioners is hereby authorized to levy a tax of not to exceed ½ mill upon all taxable tangible property within such county to pay the costs of code enforcement.

(c) Notwithstanding the provisions of subsection (b), any action commenced in the district court for the enforcement of county codes and resolutions, wherein a person may be subject to detention or arrest or wherein an accused person, if found guilty, would or might be deprived of such person's liberty, shall be conducted in the manner provided by law for the prosecution of misdemeanor violations of state laws under the Kansas code of criminal procedure and not under the code for the enforcement of county codes and resolutions.;

Also on page 2, in line 35, by striking "Section 1." and inserting "Sec. 2.";

On pages 3 and 4 by renumbering sections 2, 3 and 4 as sections 3, 4 and 5 respectively;

Also on page 4, in line 33, preceding "19-4707" by inserting "19-101d.";

Also, on motion of Rep. Thimesch **HB 2171** be amended on page 4, in line 19, before the semicolon, by inserting ". Prior to ordering the abatement of nuisances pursuant to this paragraph, the judge shall order the parties to enter a good faith effort to resolve the dispute pursuant to mediation. Such mediation shall be conducted in the manner provided by K.S.A. 5-501 *et seq.*, and amendments thereto";

Also, on motion of Rep. Huy to amend **HB 2171**, the motion did not prevail. Also, on motion of Rep. Dahl to amend, the motion did not prevail.

Also, on motion of Rep. Hayzlett **HB 2171** be amended on page 3, lines 16-43, and page 4, lines 1-32, by striking all of Sec. 2, and renumbering the sections accordingly;

Also, on motion of Rep. Howell to refer **HB 2171** to Committee on Judiciary, the motion did not prevail.

Also, roll call was demanded on motion to recommend **HB 2171** favorably for passage.

On roll call, the vote was: Yeas 48; Nays 76; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alldritt, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cox, DeCastro, Dreher, Freeborn, Gilbert, Glasscock, Hayzlett, Horst, Huff, Humerickhouse, Kline, Krehbiel, Lane, Lloyd, Loganbill, P. Long, Loyd, Mayans, McClure, McKinney, McLeland, Myers, Newton, Nichols, Novascone, O'Neal, Patterson, Pottorff, T. Powell, Powers, Ray, Reardon, Sloan, Stone, Storm, Thimesch, Weber, Wells, Wilk.

Nays: Aday, Aurand, Ballard, Burroughs, Cook, Crow, Dahl, Dillmore, DiVita, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Howell, Huebert, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kuether, Landwehr, Larkin, Levinson, Light, Lightner, M. Long, Mason, Mays, McCreary, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Neufeld, O'Brien, Osborne, Ostmeyer, Palmer, Pauls, E. Peterson, J. Peterson, Phelps, L. Powell, Pyle, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Swenson, Tafanelli, Tanner, Toelkes, Tomlinson, Toplikar, Vickrey, Welshimer, D. Williams, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Spangler.

The motion to recommend **HB 2171** favorably for passage did not prevail.

Committee report to **HB 2343** be adopted; and the bill be passed as amended.

Committee report to **HB 2123** be adopted; and the bill be passed as amended.

Committee report to **HB 2455** be adopted; and the bill be passed as amended.

Roll call was demanded on motion of Rep. Findley to amend **HB 2013** on page 3, following line 34, by inserting:

"New Sec. 5. In preparing budget recommendations for the governor's budget report for a fiscal year to be submitted to the legislature under K.S.A. 75-3721, and amendments thereto, if the state board of regents has approved increases in the rate or rates of tuition for state educational institutions for such fiscal year, then the governor shall include in such

budget recommendations for such fiscal year increased amounts of recommended expenditures for all need-based student financial aid programs administered by the state board of regents or any state educational institution thereunder, from any moneys available therefor, which constitute a percentage increase in aggregate expenditures for all such need-based student financial aid programs over the approved budget of expenditures for such programs for the preceding fiscal year that is equal to or greater than the average of the percentage increases in rates of tuition for state educational institutions approved by the state board of regents.”;

By renumbering sections accordingly;

In the title, in line 9, following “ACT” by inserting “concerning state educational institutions; relating to tuition; concerning increases in tuition;”;

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

Yeas: Alldritt, Ballard, Barnes, Burroughs, Crow, Dillmore, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Grant, Henderson, Henry, Horst, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, Loyd, Mayans, McClure, McCreary, McKinney, McLeland, Minor, Nichols, O’Brien, Pauls, E. Peterson, J. Peterson, Phelps, Powers, Pyle, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Stone, Storm, Swenson, Thimesch, Toelkes, Toplikar, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kaufman, Kline, Krehbiel, Lane, Light, Lightner, Lloyd, P. Long, Mays, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O’Neal, Osborne, Ostmeyer, Palmer, Patterson, Pottorff, L. Powell, T. Powell, Ray, Schwartz, Shultz, Sloan, Tafanelli, Tanner, Tomlinson, Vickrey, Weber, Wilk, D. Williams.

Present but not voting: None.

Absent or not voting: Howell, Landwehr, Mason, Spangler.

The motion of Rep. Findley did not prevail and **HB 2013** 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 concurrent resolutions were thereupon introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. 5024—

By Committee on Federal and State Affairs

A PROPOSITION to amend article 2 of the constitution of the state of Kansas by adding a new section thereto, authorizing initiation and enactment of laws by the registered voters of the state.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 2 of the constitution of the state of Kansas is hereby amended by adding a new section thereto to read as follows:

“**§1a. Initiative.** (a) Notwithstanding the provisions of section 1 of article 2, laws may be proposed by petition of registered voters of this state and enacted by the registered voters of the state as provided by this section. No law shall be so proposed or enacted which dedicates any revenue, makes or repeals any appropriation, relates to matters concerning the courts or their jurisdiction or funding or is prohibited by this constitution or the constitution of the United States. The enacting clause of any proposed law submitted to the voters pursuant to this section shall be:

“Be it enacted by the People of the State of Kansas:

“(b) Prior to being circulated for signatures, the petition, together with the proposed law and proposed ballot summary, shall be submitted to the office of the attorney general for determinations as to proper form, legality and constitutionality. Such determinations shall be rendered in writing within 30 days after submission of the petition. Any person aggrieved by the determinations of the attorney general may file, within 10 days after the rendering of the determinations, a proceeding in quo warranto with the supreme court. In determining the constitutionality of the proposed law, such law shall be strictly construed so that such proposed law may contain no more than one subject.

“(c) At the time the petition is submitted to the attorney general, the proposed law shall be submitted as provided by law for an estimate of the fiscal effect of the proposed law.

“(d) Each page of a petition initiating a proposed law shall contain the ballot summary and each separately circulated portion of the petition shall contain or have attached thereto the full text of the proposed law and the estimate of its fiscal effect. The ballot summary shall be a brief nontechnical statement expressing the intent or purpose of the proposed law and shall contain language which clearly states that a “yes” vote is a vote in favor of the proposition and a “no” vote is a vote against the proposition. The ballot summary shall not exceed 150 words and shall not reflect partiality in its composition or contain any argument for or against the proposed law.

“(e) The petition shall be signed by registered voters equal in number to not less than 5% of the total number of registered voters of the state on the date of last statewide general election. Not less than 60% of the valid signatures on the petition shall be equally apportioned among residents of each of the senatorial districts of the state and the petition shall contain valid signatures of not less than 1% of the registered voters of each county of the state. Petitioners shall file the signed petition in the office of the secretary of state not more than 180 days after final determinations as to proper form, legality and constitutionality of the petition. The filing shall be made at one time all in one group. Later or successive filings of documents shall be deemed to be separate petitions and not a part of any other filing. The secretary of state shall have 60 days to determine if the petition contains the requisite number of valid signatures.

“(f) Within one business day after a petition is filed with the secretary of state, the secretary of state shall notify the attorney general of the filing of such petition. The attorney general shall determine whether the law proposed by the petition conflicts with any law proposed by an earlier filed petition for submission to the voters at the same election. If the attorney general determines that there is a conflict, the petition shall be invalid. Such determination shall be rendered in writing within 20 days after the filing of the petition. Any person aggrieved by the determination of the attorney general may file, within 10 days after the rendering of the determination, a proceeding in quo warranto with the supreme court. The supreme court shall render a decision in the case not later than 30 days after the proceeding is filed.

“(g) If a petition is not invalid due to a conflict with a law proposed by an earlier filed petition and the secretary of state determines that the petition contains the requisite number of valid signatures, the secretary of state shall cause the ballot summary to be submitted to the registered voters of the state at the next general election for state representatives held not less than 180 days after the petition is filed, except that no more than three proposed laws shall be submitted under the authority of this section at any one election. If more than three valid petitions are filed within the time prescribed by this section, the laws proposed by the first three valid petitions filed in the office of the secretary of state shall be submitted at the election and the remaining petitions shall be deemed null and void.

“Publication and submission of the proposed law shall be in the manner prescribed by law for propositions to amend the constitution and the proposed law shall be submitted by the ballot summary. The secretary of state shall cause a copy of the full text of the proposed law to be filed in the office of the county election officer of each county.

“(h) If a majority of the registered voters voting on a proposed law vote for the law, the law shall take effect on the first day of July following enactment of the law, after certification by the state board of canvassers, unless a later date is prescribed within the law itself. If a law approved by the registered voters through initiative is in conflict with the preexisting law, the preexisting law shall be effectively amended or repealed.

“If less than a majority of the registered voters voting on a proposed law vote for the proposed law, the proposed law shall have no force or effect and shall not be again proposed by initiative within four years following the date of rejection unless proposed by a petition signed by registered voters equal in number to 25% of the total vote cast for the office of governor at the last election for such office.

“(i) Laws enacted pursuant to this section shall not require the signature of nor be subject to veto by the governor. The legislature shall retain the power to amend or repeal any law enacted pursuant to this section but any amendment or repeal enacted on or before the fortieth day of the next regular legislative session following the approval of the law by the registered voters shall require the affirmative vote of not less than two-thirds of the members then elected (or appointed) and qualified in each house.

“(j) The provisions of this section shall be self-executing, but legislation may be enacted to facilitate its implementation. The legislature shall provide for reporting of expenditures and contributions made to support or oppose proposed laws submitted to the registered voters pursuant to this section.

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

“*Explanatory statement.* This amendment would authorize the registered voters of the state to propose and enact laws independent of the legislature.

“A vote for this proposition would favor granting to the registered voters the right to propose and enact laws independent of the legislature.

“A vote against this proposition would retain the power to propose and enact laws in the state legislature without the right of initiative in the registered voters.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election in the year 2002 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. 5025—

By Committee on Federal and State Affairs

A PROPOSITION to amend article 14 of the constitution of the state of Kansas by adding a new section thereto, relating to amendment of the constitution by propositions initiated by registered voters of the state.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 14 of the constitution of the state of Kansas is amended by adding a new section 3 thereto to read as follows:

“§ 3. **Initiative of voters.** Propositions for the amendment of this constitution may be initiated by petition of registered voters of this state and submitted to the registered voters of the state for their approval or rejection as provided by this section. Such propositions may amend one or more sections within a single article of the constitution as may be necessary to accomplish the objective of the amendment.

Each proposition must relate to one subject. No amendment to the constitution shall be initiated or adopted pursuant to this section which: Dedicates any revenue; makes or repeals any appropriation; relates to matters concerning the courts or their jurisdiction or funding; or encroaches on any right guaranteed by the bill of rights of this constitution or of the constitution of the United States or is prohibited by the constitution of the United States; amends provisions regarding enactment of laws, initiation of laws by the voters or submission of laws to the voters for approval; amends provisions regarding adoption of amendments to the Kansas constitution, initiation of amendments to the Kansas constitution by the voters or submission of amendments to the Kansas constitution to the voters for approval; or reapportions or amends procedures for reapportionment of legislative, congressional, judicial or state board of education districts.

"Prior to being circulated for signatures, a petition initiating a proposition to amend the constitution shall be submitted to the office of the attorney general for determinations as to proper form, legality and constitutionality of the proposed amendment. Such determinations shall be rendered in writing within 21 days after submission of the petition. Any person aggrieved by the determinations of the attorney general may file, within 10 days after the rendering of the determinations, a proceeding in quo warranto with the supreme court.

"Each separately circulated portion of the petition shall contain or have attached thereto the full text of the proposed amendment to the constitution. The petition shall be signed by registered voters of the state equal in number to not less than 8% of the total number of registered voters of the state on the date of the last statewide general election. Not less than 60% of the valid signatures on the petition shall be equally apportioned among residents of each of the senatorial districts of the state and the petition shall contain valid signatures of not less than 1% of the registered voters of each county of the state. Petitioners shall file the signed petition in the office of the secretary of state not more than 180 days after final determinations as to proper form, legality and constitutionality of the petition. The filing shall be made at one time all in one group. Later or successive filings shall be deemed to be separate petitions and not a part of any other filing. The secretary of state shall have 60 days to determine if the petition contains the requisite number of valid signatures.

"Within one business day after a petition is filed with the secretary of state, the secretary of state shall notify the attorney general of the filing of such petition. The attorney general shall determine whether the amendment proposed by the petition conflicts with any amendment proposed by an earlier filed petition for submission to the voters at the same election. If the attorney general determines that there is a conflict, the petition shall be invalid. Such determination shall be rendered in writing within 20 days after the filing of the petition. Any person aggrieved by the determination of the attorney general may file, within 10 days after the rendering of the determination, a proceeding in quo warranto with the supreme court. The supreme court shall render a decision in the case not later than 30 days after the proceeding is filed.

"If a petition is not invalid due to a conflict with an amendment proposed by an earlier filed petition and the secretary of state determines that the petition contains the requisite number of valid signatures, the secretary of state shall cause the proposed amendment to be submitted to the registered voters of the state at the next statewide general election held not less than 180 days after the petition is filed, except that not more than three proposed amendments shall be submitted under the authority of this section at any one election. If more than three valid petitions are filed within the time prescribed by this section, the amendments proposed by the first three valid petitions filed in the office of the secretary of state shall be submitted at the election and the remaining petitions shall be deemed null and void. Publication and submission of the proposed amendment shall be in the manner provided by law for other propositions to amend the constitution and the proposed amendment shall be submitted by the amendment as a whole.

"If two-thirds or more of the registered voters voting on the proposed amendment vote for such amendment, the secretary of state shall file the proposed amendment with the clerk of the house of representatives on or before the next December 31 following the election. Upon the commencement of the first regular legislative session following the election, the speaker of the house of representatives and the president of the senate shall promptly cause the proposed amendment to be submitted by resolution to the respective houses of the legislature for its approval. Such resolution shall be referred to committee, receive a hearing, and be reported either favorably, without amendment, or unfavorably and shall be voted on by the respective house. If a majority of all the members elected (or appointed) and qualified to each house shall approve such resolution, the amendment shall become a part of the constitution. If more than one-third of the registered voters voting on the proposed amendment vote against the amendment, the proposed amendment shall not again be submitted to the registered voters of the state within four years following the date of rejection.

"The provisions of this section shall be self-executing, but legislation may be enacted to facilitate its implementation. The legislature shall provide for reporting of expenditures and contributions made to support or oppose proposed amendments submitted to the registered voters pursuant to this section."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

Explanatory statement. The purpose of this amendment is to authorize proposals for amendment of this constitution to be originated by petition of registered voters of the state.

"A vote for this amendment favors permitting the origination of constitutional amendments by petition of registered voters.

"A vote against this amendment favors the present system of permitting origination of constitutional amendments only by the legislature through concurrent resolution or constitutional convention."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2002 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

On motion of Rep. Weber, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Aurand in the chair.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2465**, **HB 2482**, **HB 2227**, **HB 2397**, **HB 2497**, **HB 2172** be passed.

On motion of Rep. Toplikar to amend **SB 216**, the motion did not prevail and the bill be passed.

Committee report to **HB 2234** be adopted; also, on motion of Rep. Flora to amend, the motion did not prevail and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2005** be adopted; also, on motion of Rep. Ballou to amend, Rep. Beggs requested a ruling on the amendment being

germane to the bill. Rep. Ballou subsequently withdrew his amendment and the substitute bill be passed.

Committee report to **HB 2102** be adopted; also, on motion of Rep. Loyd be amended on page 10, following line 13, by inserting:

“New Sec. 6. On and after July 1, 2001, the secretary of transportation is hereby prohibited from requiring that plans or specifications for any proposed highway or bridge project be submitted to the department of transportation utilizing the metric system of measurements.”;

By renumbering sections accordingly;

In the title, in line 11, preceding “amending” by inserting “prohibiting certain highway or bridge plans to be submitted in metric;”;

Also, on motion of Rep. Faber to amend **HB 2102**, Rep. Johnson requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question then reverted back to the motion of Rep. Faber to amend on page 10, after line 13, by inserting the following:

“New Sec. 6. As used in sections 6 thru 8, and amendments thereto:

(a) “Active contractor” means a person who owns a commodity that is produced by a contract producer at the contract producer’s contract operation according to a production contract;

(b) “passive contractor” means a person who furnishes management services to a contract producer and who does not own a commodity that is produced by the contract producer at the contract producer’s contract operation according to a production contract; and

(c) “production contract” means an oral or written agreement that provides for the production of a commodity or the provision of management services relating to the production of a commodity by a contract producer with an active contractor or passive contractor. A production contract is executed when it is signed or orally agreed to by each party to the contract or by a person authorized to act on the party’s behalf.

New Sec. 7. It shall be an unfair practice for any contractor or processor knowingly to engage or permit any employee or agent to engage in the following practices in connection with a production contract:

(a) To refuse to allow a contract producer or contract producer’s representative the use of state inspected scales for weights used to determine contract payments; and

(b) to refuse to allow a contract producer or the contract producer’s designated representative to observe, by actual observation at the time of weighing, the weights and measures used to determine the contract producer’s compensation under a production contract.

New Sec. 8. (a) A contractor or processor committing an unfair practice pursuant to section 7, and amendments thereto, shall be subject to a civil penalty in an amount equal to the amount of actual damages suffered by the producer.

(b) A producer who suffers damages because of a contractor’s or processor’s violation of section 7, and amendments thereto, may obtain appropriate legal and equitable relief, including damages, as a suit in common law pursuant to code of civil procedure.

(1) In such a civil action against the contractor or processor, the court shall award the producer who is the prevailing party, reasonable attorney fees and other litigation expenses.

(2) In order to obtain injunctive relief, the producer is not required to post a bond, prove the absence of an adequate remedy at law, or show the existence of special circumstances, unless the court for good cause otherwise orders. The court may order any form of prohibitory or mandatory relief that is appropriate under principles of equity, including but not limited to, issuing a temporary or permanent restraining order.

(c) The attorney general or the county or district attorney shall enforce the provisions of this act. In enforcing the provisions of this act, the attorney general or the county or district attorney may do all of the following: (1) Apply to the district court for an injunction to do any of the following:

(A) Restrain a contractor or processor from engaging in conduct or practices in violation of this act; or

(B) require a contractor or processor to comply with provisions of this act;

(2) apply to district court for the issuance of a subpoena to obtain a production contract for purposes of enforcing this act; and

(3) bring an action in district court to enforce penalties provided in subsections (a) and (b).";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, before "amending" by inserting "production contracts";

Roll call was demanded.

On roll call, the vote was: Yeas 65; Nays 55; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alldritt, Ballard, Barnes, Burroughs, Crow, DeCastro, Dillmore, DiVita, Faber, Findley, Flora, Garner, Gatewood, Grant, Hayzlett, Henderson, Henry, Horst, Howell, Hutchins, Kauffman, Kirk, Klein, Kuether, Landwehr, Larkin, Levinson, Loganbill, M. Long, P. Long, Mays, McClure, McCreary, McKinney, Merrick, Jim Morrison, Judy Morrison, Myers, Nichols, O'Brien, Osborne, Ostermeyer, Palmer, Pauls, E. Peterson, Phelps, Powers, Pyle, Reardon, Rehorn, Ruff, Showalter, Shriver, Storm, Swenson, Thimesch, Toelkes, Toplikar, Vickrey, Wells, Welshimer, D. Williams, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Dahl, Dreher, Edmonds, Feuerborn, Freeborn, Glasscock, Gordon, Hermes, Holmes, Huebert, Huff, Humerickhouse, Huy, Johnson, Krehbiel, Lane, Light, Lightner, Lloyd, Loyd, Mason, Mayans, McLeland, Miller, Minor, Neufeld, Newton, Novascone, O'Neal, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Ray, Schwartz, Shultz, Sloan, Stone, Tafanelli, Tanner, Tomlinson, Weber, Wilk.

Present but not voting: None.

Absent or not voting: Flaharty, Gilbert, Kline, Sharp, Spangler.

The motion of Rep. Faber prevailed; and **HB 2102** be passed as amended.

Committee report to **HB 2481** be adopted; and the bill be passed as amended.

Committee report to **HB 2189** be adopted; and the bill be passed as amended.

Committee report to **HB 2316** be adopted; and the bill be passed as amended.

Committee report to **HB 2047** be adopted; also, on motion of Rep. Hutchins to amend, the motion did not prevail, and the bill be passed as amended.

On motion of Rep. Landwehr to amend **HB 2275**, the motion did not prevail, and the bill be passed.

HB 2314, **HB 2225**, **HB 2057**, **HB 2078** be passed over and retain a place on the calendar.

Committee report to **HB 2015** be adopted; and the bill be passed as amended.

Committee report to **HB 2369** be adopted; also, on motion of Rep. Howell to amend, the motion did not prevail. Also, on further motion of Rep. Howell to amend, the motion did not prevail, and the bill be passed as amended.

Committee report to **HB 2290** be adopted; and the bill be passed as amended.

Committee report to **HB 2291** be adopted; and the bill be passed as amended.

On motion to pass over **HB 2304** and that it retain a place on the calendar, roll call was demanded.

On roll call, the vote was: Yeas 75; Nays 47; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballou, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kline, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostermeyer, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Pyle, Ray, Schwartz, Shultz, Sloan, Stone, Tafanelli, Tanner, Toplikar, Vickrey, Weber, Wilk, D. Williams.

Nays: Alldritt, Ballard, Barnes, Burroughs, Crow, Dillmore, Feuerborn, Findley, Flora, Garner, Gatewood, Grant, Henderson, Henry, Howell, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, McClure, McKinney, Minor, Nichols, O'Brien, Pauls, E. Peterson, Phelps, Powers, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Spangler, Storm, Swenson, Thimesch, Toelkes, Wells, Welshimer, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Flaharty, Gilbert, Tomlinson.

The motion prevailed and **HB 2304** be passed over and retain a place on the calendar.

Committee report to **HB 2205** be adopted; also, on motion of Rep. Kuether to amend, the motion did not prevail, and the bill be passed as amended.

Committee report to **HB 2011** be adopted; and the bill be passed as amended.

Committee report to **HB 2230** be adopted; also, on motion of Rep. O'Neal be amended on page 28, following line 11, by inserting:

“(5) The division shall require that each manufacturer provide a credit of at least 2% of the gross program revenues in the state as a credit for those persons who have otherwise qualified to obtain an ignition interlock restricted license under this act who are indigent as evidenced by qualification and eligibility for the federal food stamp program.”;

Also, on motion of Rep. D. Williams to amend **HB 2230**, the motion did not prevail, and the bill be passed as amended.

Committee report to **HB 2212** be adopted; and the bill be passed as amended.

Committee report to **HB 2329** be adopted; and the bill be passed as amended.

Committee report to **HB 2079** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2080** be adopted; and the substitute bill be passed.

Committee report to **HB 2299** be adopted; and the bill be passed as amended.

Committee report to **HB 2193** be adopted; and the bill be passed as amended.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2542, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; benefits; lump sum payments; disability benefits; payments to beneficiaries; executive director; amending K.S.A. 74-4934, 74-4978h and 74-49,102 and K.S.A. 2000 Supp. 13-14a07, 14-10a07, 20-2603, 20-2610a, 74-4902, 74-4904, 74-4908, 74-4911e, 74-4914, 74-4914e, 74-4915b, 74-4915c, 74-4916, 74-4918, 74-4918a, 74-4919, 74-4919b, 74-4920, 74-4921, 74-4922, 74-4927h, 74-4932, 74-4940, 74-4957, 74-4957a, 74-4958, 74-4958a, 74-4959, 74-4960, 74-4960a, 74-4964, 74-4964a, 74-4965, 74-4967, 74-4989, 74-4998c and 74-49,128 and repealing the existing sections, by Committee on Appropriations.

HB 2543, An act relating to purchasing procedures for certain municipalities; amending K.S.A. 19-260b and 19-2881 and K.S.A. 2000 Supp. 72-6760 and repealing the existing sections, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **HB 2269** from Committee on Utilities and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2324** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2312** from Committee on Higher Education and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2456** from Committee on Judiciary and referral to Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 30, SB 147, SB 161, SB 196, SB 254, SB 264, SB 280**.

Also, announcing adoption of **HCR 5023**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 30, SB 147, SB 161, SB 196, SB 254, SB 264, SB 280.

REPORT ON ENGROSSED BILLS

HB 2059, HB 2098, HB 2120, HB 2131, HB 2133, HB 2134, HB 2176, HB 2224, HB 2289, HB 2455 reported correctly engrossed February 22, 2001.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5009 reported correctly engrossed February 22, 2001.

REPORT ON ENROLLED RESOLUTIONS

HCR 5023 reported correctly enrolled and properly signed on February 22, 2001.

On motion of Rep. Weber, the House adjourned until 8:30 a.m., Friday, February 23, 2001.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

