

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 20, 2002, 11:00 a.m.

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

The roll was called with 122 members present.

Reps. McCreary and O'Brien were excused on verified illness.

Rep. Spangler was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Debby Dick, pastor, Lecompton United Methodist Church, Lecompton, and guest of Rep. Sloan:

Most Holy and gracious God, we pray for the governments and rulers of the nations. Do not permit them to shed innocent blood, but inspire them to rule according to your peace loving will. We call for your presence here today in the House of Representatives, that these men and women may promote the good and repress the evil, so that we who believe in God may lead quiet and peaceful lives here on earth, free of hunger and poverty. Give leaders the spirit of wisdom and justice. Let all who exercise authority remember that they have over them a power greater than themselves. Let them not pervert power which you have designated unto them, and may they be a blessing to the state. Let us live peaceably with each other, respecting one another, and serving God faithfully and in love. Amen.

The Pledge of Allegiance was led by Rep. Findley.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2999. An act concerning public utilities; relating to the definition thereof, by Committee on Appropriations.

HB 3000. An act concerning performance of abortions on minors; amending K.S.A. 65-6704 and K.S.A. 2001 Supp. 65-6701 and 65-6705 and repealing the existing sections, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. 5049—

By Representatives Welshimer, Ballard, Burroughs, Crow, Feuerborn, Findley, Flora, Gattewood, Gilbert, Gordon, Henry, Horst, Johnson, Landwehr, Levinson, Mayans, Nichols, Pottorff, Powers, Reardon, Sharp, Spangler, Storm, Swenson, R. Toelkes, Wells and J. Williams

A CONCURRENT RESOLUTION memorializing Congress to designate September 11 as a day of remembrance.

WHEREAS, On September 11, 2001, this nation was attacked by Muslim terrorists dedicated to giving their lives to do evil upon America. Fanatical Muslim organizations have spent years fomenting their hatred of America. Years of planning, financing of these endeavors and selection and training of willing martyrs were necessary before this plot could be carried into execution. On the selected day, four airliners were commandeered. Two were crashed into the twin World Trade Center buildings in New York City. A third was

crashed into the Department of Defense Pentagon building near Washington, D.C. The fourth airliner was headed for an unknown destination but was crashed into the Pennsylvania countryside through the heroic actions of the passengers on the flight; and

WHEREAS, The resulting damage caused both of the World Trade Center buildings to collapse and the Pentagon to be severely damaged on one side. Several thousand innocent Americans lost their lives because of these barbaric attacks. Almost immediately after the attacks, and before calls for assistance could be made, firefighters, policemen and emergency medical personnel made their way to the crash sites to lend assistance. Unfortunately, in New York City, the World Trade Center buildings did not collapse when hit but did a few hours later when the intense heat of tons of burning jet fuel weakened the steel structure of these buildings. This later collapse caused hundreds of rescue personnel to be killed in the rubble of these buildings; and

WHEREAS, The response of the American people, and its government, has been an outpouring of sympathy and assistance to those who lost loved ones in this tragedy and a singular determination to punish those responsible for these dastardly deeds; and

WHEREAS, The innocence of America was taken from us and the world became a different place because of the events of September 11, 2001: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we memorialize the Congress of these United States to establish September 11 as a national day of remembrance; and

Be it further resolved: That the Secretary of State provide enrolled copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Kansas congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2997, HB 2998.**

Business, Commerce and Labor: **HB 2993.**

Ethics and Elections: **HB 2996.**

Federal and State Affairs: **HB 2992.**

Taxation: **HB 2994, HB 2995.**

CHANGE OF REFERENCE

Speaker Glasscock announced the withdrawal of **HB 2469** from Committee on Federal and State Affairs and rereferral to Committee on Judiciary.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2145** and has appointed Senators Donovan, Salmans and Gooch as conferees on the part of the Senate.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2315, An act concerning occupational therapists; licensure thereof; amending K.S.A. 65-5402, 65-5405, 65-5406, 65-5407, 65-5410, 65-5412 and 65-5414 and K.S.A. 2001 Supp. 65-1501, 65-2891, 65-4915, 65-4921, 65-5408 and 65-5409 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 21; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Ballard, Barnes, Beggs, Benlon, Boston, Burroughs, Campbell, Compton, Cox, Crow, DeCastro, Dillmore, DiVita, Dreher, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Johnson, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, McClure, McKinney, Merrick, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, Pauls, E. Peterson, Phelps, Pottorff, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tanner,

Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Aurand, Ballou, Bethell, Cook, Dahl, Edmonds, Howell, Huy, Kauffman, Mays, McLeland, Miller, Neufeld, J. Peterson, L. Powell, T. Powell, Powers, Pyle, Schwartz, Tafanelli, Weber.

Present but not voting: None.

Absent or not voting: Garner, McCreary, O'Brien, Spangler.

The bill passed, as amended.

HB 2660. An act concerning dealership franchise agreements; relating to repurchase of machinery, equipment and parts upon termination; amending K.S.A. 16-1003 and 16-1304 and K.S.A. 2001 Supp. 16-1404 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 6; Present but not voting: 0; Absent or not voting: 5.

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

Nays: Aurand, Ballou, Cook, Dillmore, J. Peterson, Powers.

Present but not voting: None.

Absent or not voting: Garner, Huy, McCreary, O'Brien, Spangler.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I would like the record to indicate that I was having difficulties in placing my electronic vote for **HB 2660** before the roll was officially closed. I had every intention of voting in favor of **HB 2660**. Agriculture is extremely important to me as well as my constituents and the State. I would like the record to reflect my support of this measure.—

BONNIE HUY

HB 2675. An act relating to motor vehicles; concerning personalized license plates; amending K.S.A. 8-132 and 8-133 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 11; Present but not voting: 0; Absent or not voting: 5.

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

Nays: Aday, Dillmore, Flora, Freeborn, Hermes, Kirk, Loganbill, Phelps, Powers, R. Toelkes, Vickrey.

Present but not voting: None.

Absent or not voting: Garner, Gatewood, McCreary, O'Brien, Spangler.
The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: Trouble with the voting light prevented my vote on **HB 2675**. I vote no on **HB 2675**.—DOUG GATEWOOD

HB 2697. An act concerning civil procedure for limited actions; amending K.S.A. 2001 Supp. 61-2910 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 7; Present but not voting: 0; Absent or not voting: 4.

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

Nays: Dillmore, Feuerborn, Flora, Kuether, Powers, Rehorn, Shriver.

Present but not voting: None.

Absent or not voting: Garner, McCreary, O'Brien, Spangler.

The bill passed.

HB 2718. An act concerning the department of health and environment; relating to vital statistics; amending K.S.A. 23-110 and 65-2417 and K.S.A. 2001 Supp. 65-2418 and 65-2422d and repealing the existing sections; also repealing K.S.A. 2001 Supp. 65-2418a, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, 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, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Howell, McKinney.

Present but not voting: None.

Absent or not voting: Garner, McCreary, O'Brien, Spangler.

The bill passed.

HB 2722. An act concerning the secretary of social and rehabilitation services; authorizing financial organizations to provide information relating to applicants for or recipients of public assistance to certain persons, was considered on final action.

On roll call, the vote was: Yeas 62; Nays 60; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballard, Ballou, Beggs, Benlon, Bethell, Boston, Compton, Cox, DeCastro, Dreher, Findley, Flaharty, Gatewood, Gilbert, Glasscock, Hayzlett, Henry, Holmes, Horst, Huff, Humerickhouse, Johnson, Krehbiel, Landwehr, Lane, Light, Lloyd,

P. Long, Loyd, Mayans, McLeland, Minor, Judy Morrison, Myers, Neufeld, Newton, O'Neal, Owens, Palmer, Patterson, J. Peterson, L. Powell, T. Powell, Ray, Ruff, Schwartz, Showalter, Shriver, Sloan, Stone, Tanner, Thimesch, Tomlinson, Toplikar, Weber, Wells, Wilk, D. Williams, J. Williams, Wilson.

Nays: Barnes, Burroughs, Campbell, Cook, Crow, Dahl, Dillmore, DiVita, Edmonds, Faber, Feuerborn, Flora, Freeborn, Garner, Goering, Gordon, Grant, Henderson, Hermes, Howell, Huebert, Hutchins, Huy, Kauffman, Kirk, Klein, Kuether, Larkin, Levinson, Lightner, Loganbill, M. Long, Mason, Mays, McClure, McKinney, Merrick, Miller, Jim Morrison, Nichols, Novascone, Osborne, Ostmeyer, Pauls, E. Peterson, Phelps, Pottorff, Powers, Pyle, Reardon, Rehorn, Sharp, Shultz, Storm, Swenson, Tafanelli, R. Toelkes, Vickrey, Welshimer, Winn.

Present but not voting: None.

Absent or not voting: McCreary, O'Brien, Spangler.

The bill did not pass.

HB 2750. An act concerning livestock; relating to disposition of certain animals; indemnity; amending K.S.A. 47-612 and 47-615 and K.S.A. 2001 Supp. 47-617 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, 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, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. 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: McCreary, O'Brien, Spangler.

The bill passed.

HB 2781. An act concerning libraries; relating to library funds; amending K.S.A. 12-1226 and repealing the existing section, was considered on final action.

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

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

Nays: Compton, Krehbiel, Lloyd, P. Long, Powers, Weber.

Present but not voting: None.

Absent or not voting: Aday, McCreary, O'Brien, Spangler.

The bill passed.

HB 2792. An act repealing K.S.A. 68-163; concerning approval of lighting plans for highways and bridges by state corporation commission, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, 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, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. 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: McCreary, O'Brien, Spangler.

The bill passed.

HB 2818. An act concerning agriculture; creating the sunflower commodity commission; prescribing certain powers, duties and responsibilities; assessments; amending K.S.A. 2-3001, 2-3002, 2-3003, 2-3006 and 2-3007 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Ballard, 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, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Aurand, Ballou, Powers.

Present but not voting: None.

Absent or not voting: McCreary, O'Brien, Spangler.

The bill passed, as amended.

HCR 5048. A concurrent resolution establishing a joint committee on Kansas security, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, 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, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimmesch, R. 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: McCreary, O'Brien, Spangler.

The resolution was adopted.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2658**, **HB 2623** be passed.

In accordance with House Rule 1903, **HB 2709** be passed over and retain its place on the calendar.

Committee report to **HB 2704** be adopted; and the bill be passed as amended.

Committee report to **HB 2705** be adopted; and the bill be passed as amended.

Committee report to **HB 2733** be adopted; and the bill be passed as amended.

Committee report to **HB 2662** be adopted; and the bill be passed as amended.

Committee report to **HB 2639** be adopted; and the bill be passed as amended.

Committee report to **HB 2677** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Business, Commerce and Labor** recommends **HB 2767** be amended on page 1, in line 15, after "authority", by inserting "regulating such act or practice"; in line 18, by striking the second "of" and inserting "or"; and the bill be passed as amended.

The Committee on **Environment** recommends **HB 2686** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2686," as follows:

"Substitute for HOUSE BILL No. 2686

By Committee on Environment

"AN ACT concerning solid waste; relating to certain industrial waste; amending K.S.A. 2001 Supp. 65-3407, 65-3415b and 65-3415f and repealing the existing sections.;"

and the substitute bill be passed.

(Sub. **HB 2686** was thereupon introduced and read by title.)

The Committee on **Insurance** recommends **HB 2640** be amended on page 24, in line 32, by striking "or" where it appears for the second time; in line 33, before the comma, by inserting "or pursuant to a court order"; in line 35, by striking the period and inserting "; or"; after line 35, by inserting the following:

"(D) at the discretion of the commissioner or pursuant to a court order, to a person that is aggrieved by a fraudulent viatical settlement act.;"

Also on page 24, in line 36, after "under" by inserting "subparagraphs (A) and (B) of"; and the bill be passed as amended.

The Committee on **Local Government** recommends **HB 2337** be amended on page 1, in line 36, by striking "2001" and inserting "2002"; in line 39, by striking "2001" and inserting "2002";

On page 2, in line 3, by striking "shall" where it appears for the second time and inserting "may";

On page 3, by striking all in lines 5, 6 and 7 and inserting:

"Sec. 5. The council may accept moneys from grants, gifts, bequests, contributions or other donations.;"

Also on page 3, in line 12, by striking "appropriations made therefor" and inserting "available funds"; in line 23, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

The Committee on **Local Government** recommends **HB 2787** be amended on page 1, by striking all in lines 29 and 30; following line 30, by inserting:

“New Sec. 2. (a) When used in this section:

(1) “School district” means Lyons U.S.D. No. 405 and Lorraine U.S.D. No. 328.

(2) “Qualified voter” means a registered voter of a school district who is a resident of that portion of such school district which is not included in the taxing district of a recreation system following the consolidation of such school district with a school district which has established a recreation system or which is a part of a joint recreation system.

(b) (1) Unless the boundaries are expanded as provided by this subsection, whenever a school district which has”;

By renumbering the remaining sections accordingly;

Also on page 1, by striking all in lines 38, 39 and 40; in line 41, by striking “(b)” and inserting “(2)”;

On page 2, in line 7, by striking “(c)” and inserting “(3)”; in line 14, by striking “(d)” and inserting “(4)”; by striking all in lines 18 through 26; in line 27, following “(b)” by inserting “(1)”; in line 39, by striking “(c)” and inserting “(2)”; also in line 39, following “in” by inserting “paragraph (1) of this subsection”; in line 40, by striking “(b)”;

On page 3, in line 5, by striking “(d)” and inserting “(3)”; by striking all in lines 13 through 18; and the bill be passed as amended.

The Committee on **Local Government** recommends **HB 2795** be amended on page 1, in line 15, following “sold” by inserting “or transferred”; in line 25, by striking “its order of sale” and inserting “an order issued pursuant to K.S.A. 79-2803a, and amendments thereto,”; in line 27, following “sale” by inserting “or transfer”; in line 30, following “sale” by inserting “or transfer”; in line 32, by striking “disposal” and inserting “transfer”; in line 33, following “sale” by inserting “or transfer”; in line 36, by striking “disposal” and inserting “transfer”; in line 38, by striking “disposal” and inserting “transfer”; in line 40, by striking “dispose” and inserting “transfer”; in line 42, following “sale” by inserting “or transfer”;

On page 2, in line 5, by striking “disposal” and inserting “transfer”;

In the title, in line 9, following “sale” by inserting “or transfer”; 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 bill was thereupon introduced and read by title:

HB 3001, An act concerning civil procedure; relating to certain liens; amending K.S.A. 60-1102 and K.S.A. 2001 Supp. 60-1103 and repealing the existing sections, by Committee on Federal and State Affairs.

REPORT ON ENGROSSED BILLS

HB 2315, HB 2660, HB 2675, HB 2722, HB 2818 reported correctly engrossed February 19, 2002.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1537, under Committee of the Whole, “**HB 2972**” should be deleted and “**HB 2792**” should be inserted.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Thursday, February 21, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

