

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 21, 2002, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Aurand 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. Roberta Ganzer, Free Methodist Church, Osborne, and guest of Rep. McClure:

Almighty God,

As finite beings we wonder how to approach such an awesome, loving, and powerful God. Then we remember that we have the privilege to be called children of God which gives us the right to call You Abba, Father, Daddy, Father. As Your children we want to tell You that we love You today with our whole being.

During this special season of Lent we remember once again the ultimate sacrifice that was made for us. We remember that You loved us so much that You were willing to give Your Son as an atonement for us. May this Easter Season bring us closer to You and may we have a greater awareness of the penultimate love that was shown by Jesus' death on the cross.

Lord, as ask that You bless and protect our president, as well as other national and state leaders. Give them wisdom as they make decisions that affect the well-being of our great nation. May they look to You for peace and strength as they carry their weighty responsibility.

Thank you, Father, that we live in a country where we have the privilege to pray and to seek your blessings. In the mighty name of Jesus. Amen.

The Pledge of Allegiance was led by Rep. Dahl.

INTRODUCTION OF GUESTS

Rep. Pottorff introduced Tracy Callard of Wichita, Kansas Teacher of the Year and a finalist for 2002 National Teacher of the Year, who addressed a few remarks to the members of the House.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 3002. An act concerning municipalities; relating to displacement of existing private solid waste services providers; prescribing procedures and conditions therefor, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. 5050—

By Representatives Kauffman, Cook, DiVita, Faber, Horst, Howell, Huy, P. Long, Mason, McClure, McLeland, Miller, Jim Morrison, Myers, Novascone, O'Neal, Patterson, Pauls, L. Powell, T. Powell, Powers, Pyle, Toplikar, Vickrey and D. Williams

A CONCURRENT RESOLUTION memorializing the Congress of the United States to propose an amendment to the Constitution of the United States to permit voluntary school prayer and other public religious speech.

WHEREAS, Our country was founded on the precepts of freedom, liberty and the right of the people to acknowledge God according to the dictates of their conscience; and

WHEREAS, From the very beginning of our nation to the founding of our first national government in 1774, and from the Continental Congress to the Constitutional Convention and the years after the establishment of our Constitution, voluntary prayer has been a unifying and consoling force; and

WHEREAS, Statements of belief in a supreme power and the virtue of seeking guidance, strength and protection from that power are prevalent throughout our national history and appear in our national documents as well as in virtually every state constitution; and

WHEREAS, The framers of the Constitution, recognizing free exercise of religion as an inalienable right, secured its protection with the First Amendment of the Constitution of the United States; and

WHEREAS, Every session of Congress and of many other legislative and public bodies across the nation begins with the comfort and encouragement of voluntary prayer; and

WHEREAS, Our government has a constitutional obligation to protect religious freedom; and

WHEREAS, One of the purposes of education is to prepare students to be good citizens; and

WHEREAS, Instilling an appreciation and respect not only for the beliefs and traditions of others but also for the longstanding beliefs and traditions of the nation forms a part of good citizenship; and

WHEREAS, Voluntary student prayer formed a part of American public schools from their origination in 1642 and for over three hundred years until the United States Supreme Court, in a 1962 ruling it said was "without precedent," struck down what it described as "voluntary, nondenominational school prayer"; and

WHEREAS, In 1985 the United States Supreme Court even struck down voluntary, silent student prayers; and

WHEREAS, An increasing number of recent religion-hostile court decisions now prohibit the overwhelming majority of Americans from participating in the very same religious expressions their parents, grandparents and generations before them enjoyed; and

WHEREAS, An overwhelming majority of Americans now favor giving specific protections to these traditional religious expressions: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature urges the United States Congress to propose an amendment to the Constitution reinstating protection for voluntary school prayer and other public religious speech; 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 to each member of the Kansas legislative delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Federal and State Affairs: **HB 3000; HCR 5049.**

Utilities: **HB 2999.**

To be referred: **HB 3001.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 372, SB 374, SB 375, SB 391, SB 400, SB 402, SB 405, SB 407, SB 412, SB 416, SB 434, SB 437, SB 443, SB 444, SB 445, SB 468, SB 470, SB 505, SB 506, SB 550.**

Announcing passage of **HB 2603**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 372, SB 374, SB 375, SB 391, SB 400, SB 402, SB 405, SB 407, SB 412, SB 416, SB 434, SB 437, SB 443, SB 444, SB 445, SB 468, SB 470, SB 505, SB 506, SB 550.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6007—

A RESOLUTION supporting the designation of United States Highway 50 as a multistate trade corridor.

WHEREAS, The state of Kansas has been a leader in providing a quality transportation system for the movement of goods and people; and

WHEREAS, The location of Kansas in the center of the United States and North America has made Kansas a pivotal location for the interstate movement of goods and people; and

WHEREAS, The movement of goods and people has increased substantially since the enactment of the North American Free Trade Agreement Implementation Act; and

WHEREAS, United States Highway 50 has always been an important commercial artery for not only Kansas, but for the United States; and

WHEREAS, The designation of United States Highway 50 as a multistate trade corridor would encourage and facilitate multistate and regional mobility and economic growth and development; and

WHEREAS, The federal designation of United State Highway 50 as a multistate trade corridor will supplement and enhance other investments, including investments from the comprehensive transportation program: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Kansas House of Representatives supports the designation of United States Highway 50 as a multistate trade corridor and commends the efforts of the Santa Fe Chapter of the US Highway 50 Association in helping to make such a vision a reality; and

Be it further resolved: That the Kansas House of Representatives not only supports the designation of United States Highway 50 as a multistate trade corridor and any current funding from such designation, but it also supports any new federal funding for such enhancements as may be necessary for the state of Kansas to obtain maximum benefit from this vital corridor; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide enrolled copies of this resolution to the Santa Fe Chapter U.S. 50 Association, the Secretary of the United States Department of Transportation and each member of the Kansas Congressional Delegation.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2623. An act concerning crimes, criminal procedure and punishment; relating to forgery; sentencing; amending K.S.A. 2001 Supp. 21-4704 and repealing the existing section; also repealing K.S.A. 2001 Supp. 21-4704a, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; 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, 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: Rehorn.

Present but not voting: None.

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

The bill passed.

HB 2639, An act concerning mortgage guaranty insurance companies; relating to the requirements on authorized real estate security; amending K.S.A. 40-3502 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 9; Present but not voting: 1; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballard, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Freeborn, Garner, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Klein, Krehbiel, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, 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: Ballou, Barnes, Burroughs, Flora, Gatewood, Kirk, Kuether, Loyd, Nichols.

Present but not voting: Landwehr.

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

The bill passed, as amended.

HB 2658, An act designating a part of United States Highway 400 as the Clayton J. Connell memorial highway, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 16; 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, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, O'Neal, Osborne, Owens, Palmer, Patterson, Pauls, E. Peterson, Pottorff, L. Powell, T. Powell, Pyle, Reardon, Rehorn, Ruff, Sharp, Showalter, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Weber, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Faber, Feuerborn, Gatewood, Goering, Landwehr, Lightner, Neufeld, Ostmeyer, J. Peterson, Phelps, Powers, Ray, Schwartz, Shriver, Tomlinson, Wells.

Present but not voting: None.

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

The bill passed.

HB 2662, An act relating to accessible parking; concerning certain fees; amending K.S.A. 8-145d, 8-1,125 and 8-1,130 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 7; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Compton, Cox, Crow, 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, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane,

Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, 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, J. Williams, Wilson, Winn.

Nays: Campbell, Cook, Dahl, Kauffman, Mason, Powers, D. Williams.

Present but not voting: None.

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

The bill passed, as amended.

HB 2677, An act concerning public improvements and buildings; relating to public works bonds; amending K.S.A. 2001 Supp. 60-1111 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; 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, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, 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: Neufeld, L. Powell.

Present but not voting: None.

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

The bill passed, as amended.

HB 2704, An act concerning solid waste management planning; amending K.S.A. 2001 Supp. 65-3405 and repealing the existing section, 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, 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, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, 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, 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: Kauffman, P. Long, Ostmeyer.

Present but not voting: None.

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

The bill passed, as amended.

HB 2705, An act concerning solid waste; requiring certain reports regarding recycling, reuse and composting of materials, was considered on final action.

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

Yeas: Ballard, Barnes, Benlon, Bethell, Campbell, Compton, Cox, Crow, Dillmore, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Henderson, Henry, Holmes, Horst, Huff, Johnson, Kirk, Klein, Krehbiel, Kuether, Lane, Levinson, Lloyd, Loganbill, Loyd, McClure, Myers, Newton, Nichols, O'Neal, Owens, Pauls, E. Peterson, Phelps, Pottorff, Ray, Rehorn, Ruff, Showalter, Shriver, Sloan, Stone, Storm, Swenson, Thimesch, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Boston, Burroughs, Cook, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Goering, Gordon, Grant, Hayzlett, Hermes, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Landwehr, Larkin, Light, Lightner, M. Long, P. Long, Mason, Mayans, Mays, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Neufeld, Novascone, Osborne, Ostmeyer, Palmer, Patterson, J. Peterson, L. Powell, T. Powell, Powers, Pyle, Reardon, Schwartz, Sharp, Shultz, Tafanelli, Tanner, R. Toelkes, Vickrey, D. Williams, J. Williams.

Present but not voting: None.

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

The bill did not pass.

HB 2733, An act concerning presumptive death, relating to persons absent after catastrophic events and disasters; amending K.S.A. 59-2704 and 59-2705 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, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2670**, **HB 2727**, **HB 2699**, **HB 2747**, **HB 2768**, **HB 2247**, **HB 2741** be passed.

Committee report to **HB 2693** be adopted; and the bill be passed as amended.

Committee report to **HB 2794** be adopted; and the bill be passed as amended.

Committee report to **HB 2698** be adopted; and the bill be passed as amended.

Committee report to **HB 2619** be adopted; also, on motion of Rep. Toplikar to amend, Rep. Stone requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Toplikar challenged the ruling, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained and **HB 2619** be passed as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture** recommends **HB 2817** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

The Committee on **Appropriations** recommends **HB 2810** be amended on page 1, in line 18, by striking "or" and inserting a comma; also in line 18, following "committee", by inserting "or the legislative research department or other legislative staff agency."; in line 24, by striking "or" and inserting a comma; also in line 24, following "committee", by inserting "or agency"; and the bill be passed as amended.

The Committee on **Financial Institutions** recommends **HB 2807**, **HB 2813** be passed.

The Committee on **Financial Institutions** recommends **HB 2723** be amended on page 2, in line 36, by striking "division" and inserting "county treasurer"; and the bill be passed as amended.

The Committee on **Financial Institutions** recommends **HB 2812** be amended on page 1, in line 26, by striking "a certificate of title in"; and the bill be passed as amended.

The Committee on **Health and Human Services** recommends **HB 2809** be amended on page 1, in line 20, by striking "shall" and inserting "may"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2769**, **HB 2773**, be passed.

The Committee on **Judiciary** recommends **HB 2078**, as amended by House Committee, be passed.

The Committee on **Judiciary** recommends **HB 2366** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2366," as follows:

"Substitute for HOUSE BILL No. 2366

By Committee on Judiciary

"AN ACT concerning marriage; relating to common-law marriages; amending K.S.A. 2001 Supp. 23-101 and repealing the existing section.;"

and the substitute bill be passed.

(Sub. **HB 2366** was thereupon introduced and read by title.)

The Committee on **Judiciary** recommends **HB 2611** be amended on page 1, in line 35, by striking "first class mail" and inserting "restricted matter"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2673** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2673," as follows:

"Substitute for HOUSE BILL No. 2673

By Committee on Judiciary

"AN ACT concerning children in need of care; amending K.S.A. 2001 Supp. 38-1502 and repealing the existing section.;"

and the substitute bill be passed.

(Sub. **HB 2673** was thereupon introduced and read by title.)

The Committee on **Judiciary** recommends **HB 2771** be amended on page 3, in line 19, by striking "The" and inserting "In addition to other methods listed in this section, the"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2772** be amended on page 1, in line 22, by striking "and"; in line 24, before the period, by inserting "; and (3) \$150 for each offense if forensic science or laboratory services are rendered or administered by the Johnson county sheriff's laboratory"

On page 2, after line 4, by inserting:

"(f) The fee for services rendered or administered by the Johnson county sheriff's laboratory shall be deposited in the Johnson county general fund and disbursed for the following:

(1) Providing criminalistic laboratory services;

(2) the purchase and maintenance of equipment for use by the laboratory in performing analysis; and

(3) education, training and scientific development of the laboratory's personnel.”; and the bill be passed as amended.

The Committee on **Taxation** recommends **HB 2647** be amended on page 2, in line 17, after the period by inserting “For taxable years 2002 through 2007, in no event shall: (1) The aggregate amount of credits allowed exceed \$100,000; and (2) any taxpayer be allowed an annual credit in an amount exceeding \$2,000.”; and the bill be passed as amended.

The Committee on **Tourism** recommends **HB 2896** be amended on page 2, in line 24, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

The Committee on **Utilities** recommends **HB 2661** be passed.

The Committee on **Utilities** recommends **HB 2746** be amended on page 1, in line 20, following “energy” by inserting “even if such energy is reduced in voltage and used as station power”; in line 41, following the last comma, by inserting “whether such electrical energy is generated at such generating plant or provided through the adjacent transformation and transmission interconnect.”; and the bill be passed as amended.

The **Select Committee on Redistricting** recommends **Substitute for SB 379**, be passed.

REPORT ON ENGROSSED BILLS

HB 2639, HB 2662, HB 2677, HB 2704, HB 2705, HB 2733 reported correctly engrossed February 20, 2002.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1338, under the order of business, Introduction of Bills and Concurrent Resolutions, **HB 2711**, showing Rep. Feuerborn as a sponsor of the bill, is corrected by deleting his name and inserting the name of Rep. Freeborn. This correction is made due to a clerical error having been made at the time of preparing the bill for introduction.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Friday, February 22, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

