

Journal of the House

THIRTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 28, 2002, 9:30 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. Kauffman was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Bobby Massey, pastor, Valley Center Assembly of God,
and guest of Rep. Huebert:

Father in Heaven,

We count it a privilege to come before you today. Your Word clearly states that all things are under your care and authority. Lord, your Word also proclaims that true life and freedom can only be found in our relationship with you. With those thoughts in our mind we thank You for the privilege of being chosen to lead at this strategic hour. We are also grateful that you have blessed us with the opportunity to live in a great nation where freedom is still seen as a gift from you. Father, we ask today, that your wisdom and grace would fill this great assembly hall, that those who lead in the governing of our state would sense your presence and leading in their decisions. We humbly ask your forgiveness for attempting to lead without your direction at times, and ask for the grace to overcome our own arrogance and pride. Lord, grant to those in this place today the discernment to understand what is true and what is falsehood, what is right and what is wrong, what is good and what is evil. Let the decisions made in this place be in line with Your powerful Word and let them bring blessing and hope to those whom they will affect. Father in Heaven, again we are grateful for the privilege of calling upon your name, and thank you for bringing your light of truth into our midst through our relationship with you. May the light of Your truth shine brightly in this assembly hall today.

In Jesus' Name, Amen.

The Pledge of Allegiance was led by Rep. Horst.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

To be referred: **HB 3005, HB 3006; SB 265, SB 382, SB 413, SB 414, SB 417, SB 435, SB 439, SB 446, SB 459, SB 463, SB 464, Sub. SB 465, SB 480, SB 486, SB 491, SB 492, SB 499, SB 502, SB 507, SB 511, SB 531, SB 540, SB 543, SB 604, SB 605.**

CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **HB 2868** from Committee on Appropriations and rereferral to Committee on Business, Commerce and Labor.

Also, the withdrawal of **HB 2779, HB 2904** from Committee on Appropriations and rereferral to Committee on Education.

Also, the withdrawal of **HB 2710** from Committee on Appropriations and rereferral to Committee on Environment.

Also, the withdrawal of **HB 2715** from Committee on Appropriations rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2879**, **HB 2946**, **HB 2984** from Committee on Appropriations and rereferral to Committee on Insurance.

Also, the withdrawal of **Sub. HB 2135**; **HB 2851**, **HB 2867**, **HB 2899**, **HB 2932**, **HB 2934** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2760**, **HB 2949** from Committee on Appropriations and rereferral to Committee on Local Government.

Also, the withdrawal of **HB 2890** from Committee on Appropriations and rereferral to Committee on Tourism.

Also, the withdrawal of **HB 2754** from Committee on Appropriations and rereferral to Committee on Utilities.

Also, the withdrawal of **HB 2905** from Committee on Appropriations and referral to Committee on Kansas Futures.

Also, the withdrawal of **HB 2933** from Committee on Business, Commerce and Labor and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2841**, **HB 2892**, **HB 2893** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2488**, **HB 2982** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2756** from Committee on Transportation and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, pursuant to House Rule 2306, the following bills were withdrawn from the Calendar under that order of business, General Orders, and were referred to Committee on Appropriations.

Sub. HB 2057; **HB 2085**, **HB 2399**; **Sub. HB 2487**; **HB 2666**, **HB 2735**, **HB 2751**, **HB 2752**, **HB 2763**, **HB 2802**; **Sub. HB 2979**; **HB 2988**, **HB 2989**, **HB 2990**.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Campbell moved, pursuant to House Rule 2303, that the House reconsider its action in the adoption of the Committee of the Whole report recommending **HB 2795** favorably for passage (see Committee of the Whole, HJ p. 1599) and that the bill be returned to that order of business, General Orders, as the first measure to be considered.

Roll call was demanded.

On roll call, the vote was: Yeas 83; Nays 36; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, DiVita, Dreher, Faber, Feuerborn, Findley, Freeborn, Gatewood, Glasscock, Gordon, Grant, Hayzlett, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, Loyd, Mason, Mayans, Mays, McLeland, Merrick, Miller, Jim Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Schwartz, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Tomlinson, Vickrey, Weber, Wilk, D. Williams, Wilson.

Nays: Burroughs, Dillmore, Edmonds, Flaharty, Flora, Garner, Gilbert, Goering, Henderson, Henry, Kirk, Kuether, Larkin, Levinson, Loganbill, M. Long, P. Long, McClure, McKinney, Minor, Nichols, Pauls, E. Peterson, Phelps, Rehorn, Ruff, Sharp, Showalter, Shriver, Thimesch, R. Toelkes, Toplikar, Wells, Welshimer, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: Kauffman, Klein, McCreary, Judy Morrison, O'Brien, Spangler.

The motion of Rep. Campbell prevailed.

On motion of Rep. Weber, pursuant to House Rule 2306, **HB 2795** was withdrawn from the Calendar under that order of business, General Orders, and referred to Committee on Appropriations.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub. HB 2285. An act concerning optometry; relating to contact lens; amending K.S.A. 65-1504b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; 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, 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, 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: Kauffman, McCreary, O'Brien, Spangler.

The substitute bill passed.

HB 2353. An act concerning accredited high schools; requiring provision of a community service program for students, was considered on final action.

On roll call, the vote was: Yeas 75; Nays 46; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dillmore, DiVita, Dreher, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Horst, Huff, Johnson, Kirk, Klein, Krehbiel, Lane, Levinson, Lightner, Loganbill, M. Long, McClure, McKinney, Minor, Jim Morrison, Judy Morrison, Newton, Nichols, O'Neal, Owens, Patterson, Pauls, E. Peterson, Phelps, Pottorff, Ray, Reardon, Ruff, Showalter, Shriver, Shultz, Sloan, Storm, Swenson, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aurand, Dahl, DeCastro, Edmonds, Faber, Freeborn, Goering, Hayzlett, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kuether, Landwehr, Larkin, Light, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, McLeland, Merrick, Miller, Myers, Neufeld, Novascone, Osborne, Ostmeyer, Palmer, J. Peterson, L. Powell, T. Powell, Powers, Pyle, Rehorn, Schwartz, Sharp, Stone, Tafanelli, Tomlinson, Weber, Wilk, D. Williams.

Present but not voting: None.

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

The bill passed, as amended.

HB 2640. An act relating to insurance companies; relating to viatical settlements and investments; amending K.S.A. 2001 Supp. 17-1262 and repealing the existing section; also repealing K.S.A. 40-2,171, 40-2,172, 40-2,173, 40-2,174, 40-2,175, 40-2,176, 40-2,177, 40-2,178, 40-2,179, 40-2,180, 40-2,181, 40-2,182 and 40-2,183, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; 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, 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, 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: Kauffman, McCreary, O'Brien, Spangler.

The bill passed, as amended.

HB 2708. An act concerning the Johnson county park and recreation district; relating to the acquisition of property and the issuance of bonds; amending K.S.A. 19-2874 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 95; Nays 26; 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, DiVita, Dreher, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Goering, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Johnson, Kirk, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, Loyd, Mason, McClure, McKinney, Merrick, Minor, Jim Morrison, Judy Morrison, Neufeld, Newton, O'Neal, Osborne, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Dahl, DeCastro, Dillmore, Edmonds, Faber, Gatewood, Hayzlett, Howell, Huebert, Hutchins, Huy, Klein, Landwehr, P. Long, Mayans, Mays, McLeland, Miller, Myers, Nichols, Novascone, Ostmeyer, Palmer, T. Powell, Powers, Pyle.

Present but not voting: None.

Absent or not voting: Kauffman, McCreary, O'Brien, Owens.

The bill passed.

HB 2709. An act concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2001 Supp. 84-9-102, 84-9-109, 84-9-201 and 84-9-515 and repealing the existing sections, 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, Kirk, Krehbiel, Kuether, Landwehr, 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, 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, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Klein, Loyd.

Present but not voting: None.

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

The bill passed, as amended.

HB 2729, An act concerning the workers compensation act; amending K.S.A. 44-510b, 44-542a, 44-550b and 44-557a and K.S.A. 2001 Supp. 44-508 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed.

HB 2744, An act concerning the examination of victims of sexual assault; amending K.S.A. 2001 Supp. 65-448 and repealing the existing section, 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed, as amended.

HB 2787, An act concerning certain municipalities; relating to recreation systems; amending K.S.A. 12-1922 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 10; 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, Faber, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, 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, Thi-

mesch, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Edmonds, Feuerborn, Garner, Howell, McKinney, Minor, Nichols, Pauls, E. Peterson, R. Toelkes.

Present but not voting: None.

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

The bill passed, as amended.

HB 2807, An act relating to consumer protection; concerning method of payment; authorization; amending K.S.A. 2001 Supp. 50-6,105 and repealing the existing section, 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed.

HB 2820, An act concerning vocational education; relating to determining credit hour equivalencies; amending K.S.A. 2001 Supp. 72-4412 and repealing the existing section, 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed.

HB 2821, An act concerning vocational education; relating to tuition rates for postsecondary students; amending K.S.A. 72-4433 and repealing the existing section, 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, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, 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, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Howell.

Present but not voting: None.

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

The bill passed.

HB 2830. An act concerning environmental contamination of real property; providing for prohibition or restriction of activities on and use of such property for certain purposes, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 17; 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, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, O'Neal, Palmer, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, T. Powell, Powers, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, J. Williams, Wilson, Winn.

Nays: Edmonds, Faber, Hayzlett, Howell, P. Long, Loyd, Miller, Neufeld, Osborne, Ostmeyer, Owens, Patterson, L. Powell, Pyle, Schwartz, Vickrey, D. Williams.

Present but not voting: None.

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

The bill passed, as amended.

HB 2831. An act concerning community colleges; relating to interlocal agreements; amending K.S.A. 2001 Supp. 71-201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 10; 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, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kirk, Klein, Krehbiel, Kuether, 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, Neufeld, Newton, Nichols, O'Neal, Osborne, Owens, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Faber, Howell, Huebert, Huy, Landwehr, Myers, Novascone, Ostmeyer, Palmer, T. Powell.

Present but not voting: None.

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

The bill passed, as amended.

HB 2844. An act concerning interlocal cooperatives; relating to educational cooperatives, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 9; 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, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kirk, Klein, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Owens, 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, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Edmonds, Howell, Huebert, Huy, Landwehr, Mays, Myers, Ostmeyer, Palmer.

Present but not voting: None.

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

The bill passed.

Sub. HB 2872. An act establishing the workforce development loan program; concerning such loan; creating a fund; providing for loan repayment, forgiveness and administration thereof; amending K.S.A. 72-4433 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 14; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, Dreher, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kirk, Klein, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, O'Neal, Osborne, Owens, 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, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, J. Williams, Wilson, Winn.

Nays: Ballou, DiVita, Edmonds, Faber, Howell, Huebert, Huy, Landwehr, Lightner, Miller, Novascone, Ostmeyer, Palmer, D. Williams.

Present but not voting: None.

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

The substitute bill passed.

HB 2900. An act authorizing the state board of regents to sell and convey certain real property located in Riley county, Kansas, for and on behalf of Kansas state university; prescribing disposition of the proceeds thereof, 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, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, 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, 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, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Edmonds, Howell, Palmer.

Present but not voting: None.

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

The bill passed.

HB 2901, An act authorizing the state board of regents to exchange and convey certain tracts of real estate located in Riley county, Kansas, for and on behalf of Kansas state university with the Kansas state university foundation, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Klein, Krehbiel, 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, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Edmonds, Faber, Howell, Lloyd, P. Long, Vickrey, Weber.

Present but not voting: None.

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

The bill passed.

HB 2959, An act amending the open records act; amending K.S.A. 2001 Supp. 45-221 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 13; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Freeborn, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Krehbiel, Landwehr, Lane, Larkin, Levinson, Light, Lightner, 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, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Ruff, Schwartz, Sharp, Showalter, Shultz, Sloan, Stone, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Dillmore, Flora, Garner, Klein, Kuether, Lloyd, Pauls, Rehorn, Shriver, Spangler, Storm, Welshimer.

Present but not voting: None.

Absent or not voting: Kauffman, Loganbill, McCreary, O'Brien.

The bill passed.

HB 2999, An act concerning public utilities; relating to the definition thereof, 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, Campbell, Compton, Cook, 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, Huy, Johnson, Kirk, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, 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: Dillmore, Garner, Klein, Owens, Phelps, Rehorn, Spangler.

Present but not voting: None.

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

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2962** be passed.

Committee report recommending a substitute bill to **Sub. HB 2644** be adopted; also, on motion of Rep. Klein be amended on page 1, following line 28, by inserting:

“(c) The provisions of this section shall expire on July 1, 2004.”; and **Sub. HB 2644** be passed as amended.

Committee report to **HB 2703** be adopted; and the bill be passed as amended.

Committee report to **HB 2642** be adopted; also, roll call was demanded on motion of Rep. Toplikar to amend on page 3, by striking lines 36 and 37; after line 37, by inserting the following:

“Sec. 6. K.S.A. 2001 Supp. 71-301 is hereby amended to read as follows: 71-301. (a)

The board of trustees shall charge to and collect from each student tuition at rates per credit hour enrolled which shall be established by the board of trustees *subject to the provisions of subsection (b)*. In addition to tuition, the board of trustees may charge to and collect from each student fees at rates which shall be established by the board of trustees.

(b) *The rates of student tuition established by the board of trustees shall not be increased for any academic year at an aggregate rate of increase which is greater than the percentage rate equal to twice the rate of increase of inflation as measured by the percentage increase in the consumer price index for the calendar year preceding the calendar year during which the academic year commences. As used in this subsection, “consumer price index” means the twelve-month average of the consumer price index for all urban consumers United States city average which is published by the United States department of labor; and “academic year” means any academic year commencing after December 31, 2001.*

Sec. 7. K.S.A. 76-719 is hereby amended to read as follows: 76-719. (a) Subject to the provisions of subsection (b) and K.S.A. 76-742, and amendments thereto, the board of regents shall fix tuition, fees and charges to be collected by each state educational institution. If a state educational institution collects a student-activity fee, the funds so collected shall be set apart and used for the purpose of supporting appropriate student activities.

(b) *The rates of student tuition at any state educational institution shall not be increased by the board of regents for any academic year at an aggregate rate of increase which is greater than the percentage rate equal to twice the rate of increase of inflation as measured by the percentage increase in the consumer price index for the calendar year preceding the calendar year during which the academic year commences. As used in this subsection, “consumer price index” means the twelve-month average of the consumer price index for all urban consumers United States city average which is published by the United States department of labor; and “academic year” means any academic year commencing after December 31, 2001.*

Sec. 8. K.S.A. 76-719 and K.S.A. 2001 Supp. 48-276, 48-277, 48-278, 48-279 and 71-301 are hereby repealed.”

By renumbering the remaining section accordingly;

In the title, in line 10, by striking all after “concerning”; in line 11, by striking “program” and inserting “Kansas educational institutions”; also in line 11, after “amending” by inserting “K.S.A. 76-719 and”; also in line 11, by striking “and” and inserting a comma; in line 12, after “and” by inserting “71-301 and”;

On roll call, the vote was: Yeas 33; Nays 86; Present but not voting: 0; Absent or not voting: 6.

Yeas: Barnes, Cook, Crow, DeCastro, Dillmore, Faber, Feuerborn, Gamer, Henderson, Henry, Howell, Huebert, Kirk, Klein, Larkin, M. Long, Mayans, McClure, McKinney, Ost-meyer, Palmer, Pauls, T. Powell, Reardon, Rehorn, Ruff, Shriver, Spangler, Toplikar, Vick-rey, Wells, D. Williams, Winn.

Nays: Aday, Aurand, Ballard, Ballou, Beggs, Benlon, Bethell, Boston, Burroughs, Camp-bell, Compton, Cox, Dahl, DiVita, Dreher, Edmonds, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Krehbiel, Kuether, Lane, Levinson, Light, Light-ner, Lloyd, Loganbill, P. Long, Loyd, Mason, Mays, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O’Neal, Osborne, Owens, Patterson, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, Powers, Pyle, Ray, Schwartz, Sharp, Showalter, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Weber, Welshimer, Wilk, J. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Huy, Kauffman, Landwehr, McCreary, Nichols, O’Brien.

The motion of Rep. of Toplikar did not prevail, and **HB 2642** be passed as amended.

Committee report to **HB 2761** be adopted; also, on motion of Rep. Flaharty to amend, Rep. Huebert requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane, and the bill be passed as amended.

On motion of Rep. Howell, **HB 2978** be amended on page 4, in line 9, after the period, by inserting “Within 60 days of the effective date of this act, as a part of such review, all state agencies, including public instrumentalities, quasi-governmental organizations and institutions governed by the state board of regents, shall report the existence of all real estate which such agencies owns, leases or in which the agency has contracted or conditional interest. Such reports shall include a description of the use of such real estate or any planned future use. The head of each such agency shall certify that all such property interests have been included in the report to the secretary of administration. The secretary of administration shall compile all information reported by state agencies and issue a report to the speaker of the house of representatives, the president of the senate and the legislative research department.”;

On page 5, in line 12, by striking all after “(f)(1)”; by striking all in lines 13 through 38; in line 39, by striking all before “proceeds” and inserting “Subject to any restrictive covenants or testamentary restrictions, the”;

On page 6, in line 14, by striking “statute book” and inserting “Kansas register”;

Also, on motion to recommend **HB 2978** favorably for passage, the motion did not prevail.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 78, by Representative Wilk, commending Steve Harrell in recognition of his out standing devotion to students and service to the community of Tonganoxie;

Request No. 79, by Representative Dahl, congratulating Harold and Janet Keazer in honor of their 60th wedding anniversary;

Request No. 80, by Representative Hermes, congratulating Jim Keating on being named 2001 Citizen of the Year in St. Marys;

Request No. 81, by Representative Hermes, congratulating new board members and officers of the Kansas Contractors Association;

Request No. 82, by Representative Tafanelli, commending Beth Williams for her years of service and dedication to government and Kansas history;

Request No. 83, by Sedgwick County Delegation, congratulating outstanding educators in the Wichita area;

Request No. 84, by Representative Gordon, congratulating Tanner Gardner in recognition of his winning the State Wrestling Title;

Request No. 85, by Representative Winn, congratulating Erinn M. Bogner and Susan J. Lawson in recognition of being named to the 2002 All-Kansas Academic Team;

Request No. 86, by Representative Patterson, commending Matt Moeder, Sam Wilder, LeAnn Shirley and Caitlin Dix for participating in the leadership of the student councils in Shawnee Mission School District;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and drafting of said resolutions.

On motion of Rep. Weber, the committee report was adopted.

MESSAGE FROM THE SENATE

Announcing passage of **SB 399, SB 409, SB 418, SB 424, SB 430, SB 431, SB 433, SB 440, SB 447, SB 449, SB 453, SB 469, SB 481, SB 482; Sub. SB 488; SB 504, SB 509, SB 526, SB 548, SB 553; Sub. SB 556; SB 564, SB 575, SB 618, SB 619.**

Announcing adoption of **SCR 1617, SCR 1618.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 399, SB 409, SB 418, SB 424, SB 430, SB 431, SB 433, SB 440, SB 447, SB 449, SB 453, SB 469, SB 481, SB 482; Sub. SB 488; SB 504, SB 509, SB 526, SB 548, SB 553; Sub. SB 556; SB 564, SB 575, SB 618, SB 619; SCR 1617, SCR 1618.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, pursuant to House Rule 2306, **HB 2560** was withdrawn from the Calendar under the order of business, General Orders, and rereferred to Committee on Taxation.

On motion of Rep. Weber, the House recessed until 1:00 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. T. Powell in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that pursuant to House Rule 1903, **HB 2609, HB 2668** be passed over and retain a place on the calendar.

On motion of Rep. McLeland to amend **HB 2719**, the motion did not prevail. Also, roll call was demanded on motion of Rep. Rehorn to amend on page 2, line 27, by striking "\$10,000" and inserting therein "\$5,000"; and on page 4, in line 34, by striking "over \$10,000";

On roll call, the vote was: Yeas 86; Nays 32; Present but not voting: 0; Absent or not voting: 7.

Yeas: Ballard, Barnes, Benlon, Burroughs, Campbell, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Grant, Henderson, Henry, Hermes, Holmes, Howell, Huebert,

Huff, Hutchins, Huy, Kirk, Klein, Kuether, Landwehr, Larkin, Levinson, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McKinney, McLeland, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Nichols, Novascone, Osborne, Ostmeyer, Palmer, Pauls, E. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Stone, Storm, Swenson, Thimesch, R. Toelkes, Vickrey, Wells, Welshimer, D. Williams, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Bethell, Boston, Compton, Dreher, Freeborn, Gordon, Hayzlett, Horst, Humerickhouse, Johnson, Krehbiel, Lane, Light, Lightner, Merrick, Newton, O'Neal, Owens, Patterson, J. Peterson, Ray, Schwartz, Sloan, Tafanelli, Tanner, Tomlinson, Weber, Wilk.

Present but not voting: None.

Absent or not voting: Glasscock, Kauffman, Lloyd, McCreary, O'Brien, Spangler, Toplikar.

The motion of Rep. Rehorn prevailed and **HB 2719** be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2667** be adopted; and the substitute bill be passed.

On motion of Rep. Landwehr **HB 2953** be amended on page 2, after line 15, by inserting the following:

"New Sec. 2. The state board of education shall adopt rules and regulations for administration and effectuation of the provisions of this act and, in accordance therewith, may issue an initial license to teach in this state to any person who successfully completes the alternate teacher preparation program.

New Sec. 3. As used in this act:

(a) "Alternate teacher preparation program" means a program which is provided for by the state board of education under contractual arrangements with an accredited Kansas teacher education institution having an approved teacher education program and with accredited schools and which is designed to ensure the attainment of the basic competencies necessary to engagement in the profession of teaching through correlation of professional development study at the teacher education institution with practical experience at an accredited school.

(b) "Teacher licensure applicant" means a person who applies under authority of this act for an initial license to teach in this state.

New Sec. 4. (a) The alternate teacher preparation program will require a teacher licensure applicant to complete:

(1) Nine semester hours of professional development study at the teacher education institution. Professional development study shall include, but not be limited to, study of adolescent psychology, foundations of education, classroom management, and methodology. Professional development study may be taken during a summer or regular session and must be completed by the applicant prior to entry into the classroom;

(2) a 10 contact hour preservice orientation conducted by the employing accredited school prior to a classroom assignment. Orientation shall include familiarization with school policies, procedures, curriculum, instructional model, community characteristics, and resources;

(3) an internship of two school years (four semesters). During internship, the applicant will be enrolled in three credit hours of internship each semester. The contact and delivery system will be determined by the teacher education institution. At the successful completion of internship, student teaching requirements will be waived; and

(4) professional development coursework during the second year of internship or the second summer of participation in the program as needed to meet professional development standards set by the state board of education.

(b) During internship, a teacher licensure applicant will be supervised by a team of three persons consisting of a mentor teacher from the accredited school employing the applicant, the building principal, and a faculty member from the teacher education institution. Guidelines for supervision will be provided by the teacher education institution. The supervisory team will meet no fewer than three times per school year to evaluate, consult with, and provide advice to the applicant. The last meeting of the first year of internship will result in a recommendation for discontinuation of the program or continuation for the

second year of internship. Successful completion of the program will result in a recommendation for licensure.

(c) In order to receive institutional recommendation for initial licensure, a teacher licensure applicant must successfully complete the required semester hours of professional development study at the teacher education institution and the two years of internship. An applicant will be suspended from participation in the program by failure to attain a 3.0 grade point average on a 4.0 scale or for causes for suspension arising under law or rules and regulations of the state board of education.

New Sec. 5. A teacher licensure applicant shall:

(a) Be the holder of a baccalaureate or higher degree, earned with a minimum cumulative grade point average of 2.75 on a 4.0 scale, and granted by an accredited college or university;

(b) have earned academic credits appropriate to meeting subject and field requirements for licensure with an endorsement at the secondary level for such subject or field. The teacher education institution will assure attainment by the applicant of the minimum semester hour requirements for general education and minimum competence in subjects or fields of specialization. Minor deficiencies in the subject or field of specialization may be satisfied through additional course work approved by the teacher education institution;

(c) take and pass the PPST or other basic skills test as prescribed by the state board of education;

(d) apply for and receive from the state board of education a restricted license valid for three years and renewable in accordance with rules and regulations of the state board of education;

(e) fulfill formal requirements for admission to a teacher education program at an accredited Kansas teacher education institution;

(f) meet all nonacademic requirements of the teacher education institution upon which the applicant will depend for initial institutional recommendation;

(g) receive and document an offer of a teaching position at an accredited Kansas school in accordance with rules and regulations of the state board of education;

(h) pay a fee approved by the state board of education as part of the contractual arrangements with the teacher education institution and employing accredited school, which fee shall be in an amount determined to be necessary for payment of the costs of the program including, but not limited to, the costs related to the credit hours of professional development study and internship earned at the teacher education institution, the costs for travel expenses of the teacher education institution faculty member of the supervisory team, and the costs for remuneration of the principal and mentor teacher members of the supervisory team. The applicant and employing accredited school will share equally in the costs for remuneration of the principal and mentor teacher.

New Sec. 6. Upon successful completion of the alternate teacher participation program as verified by the teacher education institution, a teacher licensure applicant may apply for licensure on a form provided by the state board of education. The state board shall review the application and the recommendation of the teacher education institution and shall grant or deny licensure. Successful completion of the alternate teacher preparation program will not entitle a teacher licensure applicant to certification with an endorsement in special education.

New Sec. 7. Upon completion of each school year, commencing with the 2004-05 school year, the state board of education shall make a report to the governor and the legislature on the effectiveness of the alternate teacher preparation program. The report shall include the following information:

(a) The number of accredited schools participating in the program;

(b) the number of persons who applied for employment as teacher licensure applicants and the number of such applicants who actually were employed;

(c) the number of persons who successfully completed the alternate teacher preparation program, who were recommended for licensure, and who were granted licenses;

(d) the rate of attrition of teachers granted licenses under this act as compared with teachers who have completed a regular teacher preparation program; and

(e) the costs of the alternate teacher preparation program as compared with costs associated with regular teacher preparation programs.

New Sec. 8. Nothing contained in this act shall be construed to abrogate, affect the status, force or operation of any other provision of law relating to initial issuance of licenses to teach or of any rules and regulations adopted pursuant thereto. The requirements and procedures contained in this act for initial issuance of licenses to teach shall be deemed alternative to the requirements and procedures therefor that are in effect under any other provision of law and under rules and regulations adopted pursuant thereto by the state board of education.”;

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 9, after the semicolon, by inserting “relating to teachers; providing for an alternative teacher preparation program.”;

Also, on motion of Rep. Loyd **HB 2953** be amended on page 2, after line 6, by inserting “The foregoing shall not be deemed to limit the factors which the state board of education may consider.”; and the bill be passed as amended.

Committee report to **HB 2951** be adopted; also, on motion of Rep. Faber be amended on page 3, in line 28, preceding the comma, by inserting “or an entity for community development”; in line 29, after the last period, by inserting “Communities where school buildings which closed on or after the last day of class of the 2000-2001 school year shall be eligible for such grants. The provisions of this subsection apply to unified school districts with under 200 enrollment.”; and **HB 2951** be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, pursuant to House Rule 2306, **HB 2609**, **HB 2668** were withdrawn from the Calendar under the order of business, General Orders, and referred to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Weber pursuant to House Rule 2311, **Sub. HB 2644**; **HB 2703**, **HB 2642**, **HB 2761**, **HB 2962**, **HB 2719**; **Sub. HB 2667**; **HB 2953**, **HB 2951** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub. HB 2644, An act concerning certain public utilities; providing for recovery of certain costs of security measures, 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, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Faber, Feuerborn, Findley, Flaharty, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, 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, Powers, 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: Burroughs, Edmonds, Flora, Howell, Kuether, Rehorn, Shriver.

Present but not voting: None.

Absent or not voting: Kauffman, McCreary, O’Brien, Spangler.

The substitute bill passed, as amended.

HB 2703, An act concerning solid waste; relating to construction and demolition landfills; amending K.S.A. 2001 Supp. 65-3402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 17; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, Beggs, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Faber, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Goering, Gordon, Grant, Henderson, Henry, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Lightner, Lloyd, Loganbill, M. Long, P. Long, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, 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, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, Wilson, Winn.

Nays: Benlon, Dreher, Edmonds, Feuerborn, Gatewood, Hayzlett, Howell, Light, Loyd, Minor, Neufeld, L. Powell, Ruff, Schwartz, R. Toelkes, Vickrey, J. Williams.

Present but not voting: None.

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

The bill passed, as amended.

HB 2642, An act concerning the Kansas national guard educational assistance program; amending K.S.A. 2001 Supp. 48-276, 48-277, 48-278 and 48-279 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed, as amended.

HB 2761, An act concerning crimes, criminal procedure and punishment; relating to civil and voting rights of convicted felons; relating to conditions under which felons may vote; amending K.S.A. 2001 Supp. 21-4603, 21-4603d and 21-4615 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, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Gatewood, 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, 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, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes,

Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Dillmore, Garner, Gilbert.

Present but not voting: None.

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

The bill passed, as amended.

HB 2962. An act relating to Kansas economic development; concerning Kansas investments in major projects; amending K.S.A. 2001 Supp. 74-50,106 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; 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, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, 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, Mason, Mayans, Mays, McClure, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson.

Nays: Edmonds, Henderson, Palmer, Reardon, Winn.

Present but not voting: None.

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

The bill passed.

HB 2719. An act relating to state purchasing procedures; amending K.S.A. 75-3738 and 75-3740 and K.S.A. 2001 Supp. 75-3739 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed, as amended.

Sub. HB 2667. An act concerning electronic and digital signatures; relating to the adoption of rules and regulations; amending K.S.A. 2001 Supp. 16-1605 and repealing the existing section, 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The substitute bill passed.

HB 2953, An act concerning schools; relating to teachers; providing for an alternative teacher preparation program; relating to transfer of school district territory; amending K.S.A. 2001 Supp. 72-7108 and repealing the existing section, 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, 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, Spangler, 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: Kauffman, McCreary, O'Brien.

The bill passed, as amended.

HB 2951, An act concerning schools; relating to the closing of school buildings; grants to communities; amending K.S.A. 72-8213 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 56; Nays 66; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Aurand, Beggs, Bethell, Boston, Compton, Cox, Dahl, DeCastro, Dreher, Edmonds, Faber, Freeborn, Gatewood, Goering, Gordon, Hayzlett, Henry, Hermes, Holmes, Huebert, Humerickhouse, Hutchins, Huy, Landwehr, Larkin, Light, Lloyd, P. Long, Mason, Mayans, Mays, McClure, McKinney, McLeland, Minor, Jim Morrison, Myers, Neufeld, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, J. Peterson, L. Powell, T. Powell, Ray, Schwartz, Showalter, Shultz, Tafanelli, Tanner, Weber, D. Williams, J. Williams.

Nays: Ballard, Ballou, Barnes, Benlon, Burroughs, Campbell, Cook, Crow, Dillmore, DiVita, Feuerborn, Findley, Flaharty, Flora, Garner, Gilbert, Glasscock, Grant, Henderson, Horst, Howell, Huff, Johnson, Kirk, Klein, Krehbiel, Kuether, Lane, Levinson, Lightner, Loganbill, M. Long, Loyd, Merrick, Miller, Judy Morrison, Newton, Nichols, Owens, Patterson, Pauls, E. Peterson, Phelps, Pottorff, Powers, Pyle, Reardon, Rehorn, Ruff, Sharp, Shriver, Sloan, Spangler, Stone, Storm, Swenson, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Wells, Welshimer, Wilk, Wilson, Winn.

Present but not voting: None.

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

The bill did not pass.

EXPLANATION OF VOTE

MR. SPEAKER: I vote No on **HB 2951**. In this very difficult budget year, we should not be paying state aid to convert closed schools into community centers for just some school districts—only those with less than 200 students. Instead we should be using state resources to fund the general operations for all schools in Kansas.—JIM GARNER

REPORTS OF STANDING COMMITTEES

The Committee on **Taxation** recommends **HB 2560**, as amended by House Committee, be amended on page 1, in line 18, by striking “\$.25” and inserting “\$.24”; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2353, HB 2640, HB 2831, HB 2787, HB 2795 reported correctly engrossed February 27, 2002.

HB 2709, HB 2744, HB 2830, HB 2999 reported correctly engrossed February 28, 2002.

On motion of Rep. Weber, the House adjourned pro forma until 9:00 a.m., Friday, March 1, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

