

# Journal of the House

THIRTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 11, 2002, 11:00 a.m.

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

The roll was called with 122 members present.

Rep. O'Brien was excused on verified illness.

Rep. Holmes was excused on legislative business.

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

Present later: Rep. Holmes.

Prayer by Chaplain Chamberlain:

On the occasion of the six month anniversary of the attacks in New York and Washington, let us offer the prayer of St. Francis as we pray with our fellow citizens who pause this day to remember those who died and those who survive:

Lord, make us instruments of your peace,  
Where there is hatred, let us sow love;  
...where there is injury, pardon;  
...where there is doubt, faith;  
...where there is despair, hope;  
...where there is darkness, light;  
...where there is sadness, joy;

O Divine Master, grant that we may not so much seek  
...to be consoled as to console;  
...to be understood as to understand;  
...to be loved as to love.

For it is in giving that we receive;  
...it is in pardoning that we are pardoned;  
...and it is in dying that we are born to eternal life.

Amen.  
(The prayer of St. Francis of Assisi)

The Pledge of Allegiance was led by Rep. DeCastro.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION RESOLUTION No. 5051—

By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION urging the United States Postal Service to issue a commemorative postage stamp honoring America's coal miners.

WHEREAS, The Citizens' Stamp Advisory Committee of the United States Postmaster General is urged to recommend for issuance as soon as practicable a United States Postal Service stamp commemorating the vital role of coal miners in the history and economic

productivity of the country. The stamp would commemorate a class of American laborers who in their immigrant origins reflect the melting-pot ideals of the nation, who with their manual labor make possible the technological conveniences of modern American life and whose contributions to the nation's welfare are generally unknown to the public. A stamp commemorating coal miners holds the promise of illustrating a colorful and historically rich segment of society for the benefit of schoolchildren, stamp collectors, educators and the public; and

WHEREAS, United States coal miners perform a unique and vital service for the nation because without a man or woman at the controls of a dragline or working in a darkened mine shaft, coal would not tumble into the trucks and barges that crisscross the country to power the boilers that generate over 50 percent of the nation's electricity; and

WHEREAS, Coal miners keep the nation supplied with an energy resource that produces electricity for the lowest cost, when compared to fuels other than nuclear, and which makes possible the country's unmatched productivity and prosperity; and

WHEREAS, Coal miners provide a vital pool of labor with the expertise to produce energy supplies from vast national coal reserves which serves to buffer the country from a dangerous dependence on foreign energy fuels; and

WHEREAS, Several hundred shaft mines were constructed and operated in southeast Kansas giving employment to thousands of immigrating, European-born and native-born miners and their descendants, thereby establishing a cultural diversity that remains to this day; and

WHEREAS, Underground mining was instrumental in the historical development of the Cherokee-Crawford coal field, impacting employment, demographic movements, transportation networks, commerce, and settlement patterns in the region; and

WHEREAS, The coal mines developed in southeast Kansas stimulated industrial activity in an otherwise largely agricultural state: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Legislature of the State of Kansas urges the United States Postal Service to issue a commemorative postage stamp honoring America's coal miners; and

*Be it further resolved:* That the Secretary of State send an enrolled copy of this resolution to the Citizens' Stamp Advisory Committee, % Stamp Development, U.S. Postal Service, 475 L'Enfant S.W., Room 5670, Washington, D.C. and to each member of the Kansas legislative delegation.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 3014**, **HB 3015**; **Sub. SB 422**; **Sub. SB 508**.

Ethics and Elections: **HB 3013**.

Federal and State Affairs: **HB 3016**.

Health and Human Services: **SCR 1621**.

Transportation: **SB 411**.

Select Committee on Redistricting: **HB 3012**.

To be referred: **SB 489**.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**Sub. HB 2057**, An act concerning medical scholarships and loans; concerning medically underserved areas; amending K.S.A. 65-2811a, 76-379, 76-383 and 76-384 and K.S.A. 2001 Supp. 74-32,132, 76-375, 76-381 and 76-385 and repealing the existing sections; also repealing K.S.A. 76-373, 76-374, 76-377, 76-377a and K.S.A. 2001 Supp. 76-376, 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, 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, McCreary, 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, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: Holmes, O'Brien, Tomlinson.

The substitute bill passed.

**HB 2085**, An act concerning jurors; relating to the compensation thereof; amending K.S.A. 43-171 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 52; Nays 71; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Ballou, Benlon, Bethell, Burroughs, Campbell, Compton, Cox, Crow, Dahl, DeCastro, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Goering, Holmes, Huff, Johnson, Klein, Lane, Lightner, Lloyd, Loganbill, M. Long, Loyd, McClure, McKinney, Judy Morrison, Neufeld, Newton, Novascone, O'Neal, Owens, Patterson, Pauls, E. Peterson, J. Peterson, T. Powell, Rehorn, Schwartz, Sharp, Showalter, Sloan, Swenson, Thimesch, Toplikar, Wells, Welshimer.

Nays: Aday, Barnes, Beggs, Boston, Cook, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Gatewood, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Horst, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Kirk, Krehbiel, Kuether, Landwehr, Larkin, Levinson, Light, P. Long, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Minor, Jim Morrison, Myers, Nichols, Osborne, Ostmeyer, Palmer, Phelps, Pottorff, L. Powell, Powers, Pyle, Ray, Reardon, Ruff, Shriver, Shultz, Spangler, Stone, Storm, Tafanelli, Tanner, R. Toelkes, Vickrey, Weber, Wilk, D. Williams, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill did not pass.

#### EXPLANATION OF VOTE

MR. SPEAKER: Jurors are an integral part of our democracy and deserve more than \$10 per day in reimbursement. However, the method of funding the reimbursement increase is inappropriate and wrong.

Jury duty is a unique governmental requirement. It is mandatory that anyone called for jury duty report.

We should raise the amount that selected jurors are paid. But we should not do it on the backs of Kansas citizens who commit time but are not selected. It may be easy for an attorney or a judge to take a morning off of work. For most Kansas citizens, it is not. I respectfully vote no on **HB 2085**.—DAN WILLIAMS

**HB 2337**, An act creating the Kansas advisory council on intergovernmental relations; prescribing the powers and duties thereof, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 56; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aday, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dillmore, DiVita, Dreher, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Glasscock, Goering, Hayzlett, Henry, Hermes, Holmes, Horst, Huff, Johnson, Kirk, Kuether, Lane, Larkin, Levinson, Lloyd, Loganbill, M. Long, McClure, McKinney, Minor, Neufeld, Nichols, O'Neal, Owens, Patterson, Pauls, E. Peterson, Phelps, Pottorff, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Stone, Storm, Thimesch, R. Toelkes, Wells, Welshimer, J. Williams, Wilson.

Nays: Aurand, Ballou, Cook, Dahl, DeCastro, Edmonds, Faber, Freeborn, Gordon, Grant, Henderson, Howell, Huebert, Humerickhouse, Hutchins, Huy, Kauffman, Klein,

Krehbiel, Landwehr, Light, Lightner, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Newton, Novascone, Osborne, Ostmeyer, Palmer, J. Peterson, L. Powell, T. Powell, Powers, Pyle, Shultz, Sloan, Spangler, Swenson, Tafanelli, Tanner, Toplikar, Vickrey, Weber, Wilk, D. Williams, Winn.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill passed, as amended.

**Sub. HB 2469.** An act concerning guardians and conservators; amending K.S.A. 9-1215, 9-1216, 17-2263, 17-2264, 17-5828, 17-5829, 38-1505, 39-789, 44-513a, 58-629, 59-1701, 59-2203, 73-507, 76-12b04 and 77-201 and K.S.A. 2001 Supp. 39-970, 58-24a15, 59-2401, 59-2946, 59-2948, 59-2949, 59-2951, 59-2960, 59-29b46, 59-29b48, 59-29b49, 59-29b51, 59-29b60, 60-304, 61-3004, 65-516, 65-5117 and 76-729 and repealing the existing sections; also repealing K.S.A. 59-3001, 59-3003, 59-3004, 59-3006, 59-3007, 59-3008, 59-3011, 59-3012, 59-3015, 59-3016, 59-3017, 59-3018, 59-3019, 59-3020, 59-3021, 59-3022, 59-3023, 59-3024, 59-3025, 59-3027, 59-3028, 59-3030, 59-3031, 59-3032, 59-3034, 59-3035, 59-3037 and 59-3038 and K.S.A. 2001 Supp. 59-3002, 59-3009, 59-3010, 59-3013, 59-3014, 59-3018a and 59-3026, 59-3029, 59-3036, 59-3039 and 60-304a, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 20; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Ballou, Barnes, Dillmore, Feuerborn, Findley, Flora, Goering, Henderson, Kirk, Kuether, M. Long, Minor, Nichols, E. Peterson, Phelps, Sharp, Spangler, R. Toelkes, Vickrey, Welshimer.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The substitute bill passed.

**HB 2751.** An act concerning crimes and punishment; relating to identity theft; amending K.S.A. 2001 Supp. 21-4018 and repealing the existing section, was considered on final action.

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

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Dahl, DeCastro, Dillmore, 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, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'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, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Crow, Garner, Rehorn, Spangler.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill passed, as amended.

**HB 2763**, An act concerning courts; relating to courtrooms and supplies; amending K.S.A. 20-348 and K.S.A. 2001 Supp. 20-349 and repealing the existing sections; also repealing K.S.A. 20-613a and 20-713, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 15; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Faber, Findley, Flaharty, Flora, Freeborn, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, 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, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, Pauls, E. Peterson, Pottorff, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Weber, Wells, Welshimer, D. Williams, J. Williams, Wilson.

Nays: Aday, Ballou, Edmonds, Feuerborn, Garner, Gatewood, Goering, Hermes, Nichols, J. Peterson, Phelps, L. Powell, Spangler, Wilk, Winn.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill passed, as amended.

**HB 2802**, An act relating to courts; concerning the Kansas law enforcement training center fund; increasing county and municipal court assessments; extending the collection of certain district court docket fees; amending K.S.A. 12-4117 and K.S.A. 2001 Supp. 19-101e, 19-4707 and 20-362 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 10; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aday, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gilbert, Glasscock, Goering, Gordon, Grant, Hayzlett, 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, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, O'Neal, Ostmeyer, Owens, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Weber, Welshimer, Wilk, D. Williams, J. Williams, Wilson.

Nays: Ballou, Faber, Gatewood, Henderson, Neufeld, Osborne, Schwartz, Spangler, Wells, Winn.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill passed, as amended.

**HB 2810**, An act concerning the division of accounts and reports; requiring certain reports to be provided; amending K.S.A. 46-925 and repealing the existing section; also repealing K.S.A. 75-6406, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 15; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aday, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Krehbiel, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, Pauls, 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, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Dillmore, Flora, Freeborn, Garner, Goering, Hermes, Klein, Kuether, Loganbill, McKinney, Nichols, E. Peterson, Rehorn, Spangler.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The bill passed, as amended.

**Sub. HB 2979**, An act concerning vehicles; relating to storage fees; requiring notice to lienholders, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Spangler.

Present but not voting: None.

Absent or not voting: O'Brien, Tomlinson.

The substitute bill passed, as amended.

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

**COMMITTEE OF THE WHOLE**

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

Recommended that committee report to **HB 2377** be adopted; also, roll call was demanded on motion of Rep. Horst to amend by striking all in lines 18 through 41; after line 41, by inserting the following:

“Section 1. K.S.A. 2001 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by subsection (a) of K.S.A. 79-3220, and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

If the taxable income is:	The tax is:
Not over \$30,000 .....	<del>3.5%</del> 3.6% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	<del>\$1,050 plus 6.25%</del> \$1,080 plus 6.55% of excess over \$30,000
Over \$60,000 .....	<del>\$2,925 plus 6.45%</del> \$3,045 plus 6.75% of excess over \$60,000

(2) *All other individuals.*

~~(A) For tax year 1997.~~

If the taxable income is:	The tax is:
Not over \$20,000 .....	<del>4.1%</del> 4.1% of Kansas taxable income
Over \$20,000 but not over \$30,000 .....	<del>\$620 plus 7.5%</del> \$620 plus 7.5% of excess over \$20,000
Over \$30,000 .....	<del>\$1,570 plus 7.75%</del> \$1,570 plus 7.75% of excess over \$30,000

~~—(B)— For tax year 1998, and all tax years thereafter.~~

If the taxable income is:	The tax is:
Not over \$15,000 .....	<del>3.5%</del> 3.6% of Kansas taxable income
Over \$15,000 but not over \$30,000 .....	<del>\$525 plus 6.25%</del> \$540 plus 6.55% of excess over \$15,000
Over \$30,000 .....	<del>\$1,462.50 plus 6.45%</del> \$1,522.50 plus 6.75% of excess over \$30,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) the surtax shall be in an amount equal to 3.35% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in paragraph (2) of subsection (a) hereof.

New Sec. 2. The provisions of this section shall be applicable to all taxable years commencing after December 31, 2001.

Sec. 3. K.S.A. 2001 Supp. 79-32,110 is hereby repealed.”;

By renumbering existing section 2 and section 4;

In the title, in line 14, by striking all after the semicolon; in line 15, by striking all before the period and inserting “increasing the rate thereof imposed upon individuals; amending K.S.A. 2001 Supp. 79-32,110 and repealing the existing section”;

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

Yeas: Ballard, Horst, Loyd, Ray, Sloan, Storm, Welshimer.

Nays: Aday, Aurand, 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, Glascock, Goering, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Mason, Mayans, McClure, McCreary, 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, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Spangler, Stone, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Weber, Wells, Wilk, D. Williams, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Mays, O’Brien, Tomlinson.

The motion of Rep. Horst did not prevail.

Also, roll call was demanded on motion of Rep. Kirk to amend **HB 2377** after line 41, by inserting the following:

“Sec. 2. K.S.A. 2001 Supp. 79-32,206 is hereby amended to read as follows: 79-32,206. For all taxable years commencing after December 31, ~~1997~~ 2001, there shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act, the premiums tax upon insurance companies imposed pursuant to K.S.A. 40-252, and amendments thereto, and the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, an amount equal to ~~15%~~ 18% of the property tax levied for property tax year ~~1998~~ 2003, 22% of the property tax levied for property tax year 2004, and 25% of the property tax levied for property tax year 2005, and all such years thereafter, actually and timely paid during an

income or privilege taxable year upon commercial and industrial machinery and equipment classified for property taxation purposes pursuant to section 1 of article 11 of the Kansas constitution in subclass (5) or (6) of class 2 and machinery and equipment classified for such purposes in subclass (2) of class 2. If the amount of such tax credit exceeds the taxpayer's income tax liability for the taxable year, the amount thereof which exceeds such tax liability shall be refunded to the taxpayer. If the taxpayer is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit provided by this section shall be claimed by the shareholders of such corporation, the partners of such partnership or the members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company.

Sec. 3. K.S.A. 2001 Supp. 79-32,206 is hereby repealed.”;

By renumbering existing section 2 as section 4;

In the title, in line 15, before the period by inserting ”; concerning property tax paid credits for certain machinery and equipment; amending K.S.A. 2001 Supp. 79-32,206 and repealing the existing section”;

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

Yeas: Ballard, Barnes, Burroughs, Crow, Dillmore, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Grant, Henderson, Henry, Howell, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, P. Long, Mayans, McClure, McKinney, Miller, Minor, Nichols, Novascone, O'Neal, Palmer, Pauls, E. Peterson, Phelps, Pottorff, Powers, Pyle, Rehorn, Ruff, Sharp, Showalter, Shriver, Spangler, Swenson, Thimesch, R. Toelkes, Toplikar, Vickrey, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, Loyd, Mason, McCreary, McLeland, Merrick, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Osborne, Ostmeyer, Owens, Patterson, J. Peterson, L. Powell, T. Powell, Ray, Reardon, Schwartz, Shultz, Sloan, Stone, Storm, Tafanelli, Tanner, Weber, Wilk, D. Williams.

Present but not voting: None.

Absent or not voting: Mays, O'Brien, Tomlinson.

The motion of Rep. Kirk did not prevail.

Also, roll call was demanded on motion of Rep. P. Long to amend **HB 2377** after line 41, by inserting the following:

“New Sec. 2. For all taxable years commencing after December 31, 2001, there shall be allowed as a credit against the tax liability imposed under the Kansas income tax act upon an individual who is certificated to instruct and educate students of grades kindergarten through 12 in an accredited school, whether public or otherwise, an amount, not to exceed \$100, equal to the purchase costs in excess of \$50 of equipment, materials or other teaching aids for use in the classroom to assist in the education of the students of such individual. If the amount of such tax credit exceeds the individual's income tax liability for the appropriate taxable year, such excess amount shall be refunded.

New Sec. 3. For all taxable years commencing after December 31, 2001, there shall be allowed as a credit against the tax liability imposed under the Kansas income tax act upon an individual amounts incurred during the taxable year for education expenses for all dependents of such individual attending an elementary or secondary school which is located in Kansas which adheres to the provisions of the federal civil rights act of 1964 and the Kansas act against discrimination, and attendance at which satisfies the requirements of K.S.A. 72-1111, and amendments thereto. As used in this section: “Education expenses” means fees, textbooks and other instructional materials. The amount of such credit shall be 12.5% of the amounts paid for education expenses in excess of \$250, but shall not exceed \$500 expended for all dependents in any taxable year. If the amount of such tax credit exceeds the individual's income tax liability for the appropriate taxable year, such excess amount shall be refunded.



Sec. 4. K.S.A. 2001 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117.

(a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments to such sections.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2000 Supp. 79-32,204 and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203 and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2000 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xv) of subsection (c) of K.S.A. 79-32,117, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) *The amount of any contributions made to an elementary or secondary school to the extent the same is claimed as the basis for the credit allowed pursuant to sections 2 and 3.*

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. 228b (a) and 228c (a)(1) *et seq.*

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249 and amendments thereto.

(xiii) For taxable years beginning after December 31, 1993, the amount of income earned on contributions deposited to an individual development account under K.S.A. 79-32,117h, and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation.

(xv) For all taxable years beginning after December 31, 1999, amounts not exceeding \$2,000, or \$4,000 for a married couple filing a joint return, for each designated beneficiary

which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2000 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 5. K.S.A. 2001 Supp. 79-32,117 is hereby repealed.”;

By renumbering existing section 2 as section 6;

In the title, in line 15, before the period by inserting “providing credits therefrom for dependent education expenses and teaching aid contributions; amending K.S.A. 2001 Supp. 79-32,117 and repealing the existing section”;

On roll call, the vote was: Yeas 48; Present but not voting: 0; Absent or not voting: 5.

Yeas: Boston, Burroughs, Cook, Dahl, DeCastro, DiVita, Freeborn, Grant, Hayzlett, Howell, Huebert, Humerickhouse, Huy, Kauffman, Klein, Landwehr, Lightner, P. Long, Mason, Mayans, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Phelps, Pottorff, L. Powell, T. Powell, Reardon, Rehorn, Schwartz, Spangler, Thimesch, Toplikar, Vickrey, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Campbell, Compton, Cox, Crow, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Gamer, Gatewood, Gilbert, Glasscock, Goering, Gordon, Henderson, Henry, Hermes, Holmes, Huff, Hutchins, Johnson, Kirk, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lloyd, Loganbill, M. Long, Loyd, McClure, McKinney, Minor, Newton, Nichols, Owens, Pauls, E. Peterson, J. Peterson, Powers, Pyle, Ray, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, R. Toelkes, Weber, Wells, Welshimer, Wilk.

Present but not voting: None.

Absent or not voting: Horst, Mays, O'Brien, Tomlinson, D. Williams.

The motion of Rep. P. Long did not prevail.

Also, on motion of Rep. Powers to amend **HB 2377**, Rep. Edmonds requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Powers challenged the ruling, the question being “Shall the Rules Chair be sustained?” The Rules Chair was sustained.

Also, roll call was demanded on motion of Rep. Landwehr to amend **HB 2377** after line 41, by inserting a new section to read as follows:

“Sec. 2. (a) For all taxable years commencing after December 31, 2001, each Kansas state individual income tax return form shall contain a designation as follows:

Unified School District Contribution. Check if you wish to donate, in addition to your tax liability, or designate from your refund, \_\_\_\_\_ \$2, \$\_\_\_\_\_, and designate the district to which such donation or designation is to be made.

(b) The director of taxation of the department of revenue shall determine annually on or before August 1 of each year the total amount designated or donated for contribution to each unified school district, and shall certify such amount to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall issue a warrant for the amount certified to each treasurer of a unified school district to which contributions have been made. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount thereof to the state treasurer who shall credit the same to the state general fund.”;

By renumbering existing section 2 as section 3;

In the title, in line 15, before the period by inserting “; providing check-offs for school districts”;

On roll call, the vote was: Yeas 60; Nays 58; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aday, Benlon, Boston, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Edmonds, Freeborn, Glasscock, Gordon, Grant, Hayzlett, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Kauffman, Landwehr, Lane, Lightner, Lloyd, P. Long, Loyd, Mason, Mayans, McCreary, McLeland, Merrick, Miller, Judy Morrison, Myers, Neufeld, Newton, Novascone, O’Neal, Osborne, Owens, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Schwartz, Shriver, Tafanelli, Tanner, Toplikar, Vickrey.

Nays: Aurand, Ballard, Ballou, Barnes, Beggs, Bethell, Burroughs, Crow, Dillmore, Dreher, Faber, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Henderson, Henry, Hermes, Johnson, Kirk, Krehbiel, Kuether, Larkin, Levinson, Light, Loganbill, M. Long, McClure, McKinney, Minor, Jim Morrison, Nichols, Ostmeyer, Pauls, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Sharp, Showalter, Sloan, Spangler, Stone, Storm, Swenson, Thimesch, R. Toelkes, Weber, Welshimer, Wilk, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Klein, Mays, O’Brien, Shultz, Tomlinson, Wells, D. Williams.

The motion of Rep. Landwehr prevailed.

Also, on further motion of Rep. Landwehr **HB 2377** be amended after line 41, by inserting a new section to read as follows:

“Sec. 2. (a) For all taxable years commencing after December 31, 2001, each Kansas state individual income tax return form shall contain a designation as follows:

Home Community-Based Service Waivers. Check if you wish to donate, in addition to your tax liability, or designate from your refund, \_\_\_\_\_ \$2, \$\_\_\_\_\_.

(b) The director of taxation of the department of revenue shall determine annually on or before August 1 of each year the total amount designated or donated for contribution and shall certify such amount to the state treasurer who shall credit the entire amount thereof to the social and rehabilitation services fee fund. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount thereof to the state treasurer who shall credit the same to such fund.”;

By renumbering existing section 2 as section 3;

In the title, in line 15, before the period by inserting “; providing check-offs for home community-based service waivers”;

Also, roll call was demanded on motion to recommend **HB 2377** favorably for passage.

On roll call, the vote was: Yeas 74; Nays 45; Present but not voting: 1; Absent or not voting: 5.

Yeas: Aday, Ballard, Ballou, Barnes, Boston, Campbell, Compton, Cook, Dahl, DeCastro, Dillmore, DiVita, Edmonds, Freeborn, Garner, Gatewood, Grant, Henry, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Landwehr, Larkin, Levinson, Lightner, Lloyd, M. Long, P. Long, Mayans, McCreary, McKinney, McLeland, Merrick, Miller, Judy Morrison, Myers, Nichols, Novascone, O’Neal, Osborne, Palmer, Patterson, E. Peterson, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Rehorn, Schwartz, Showalter, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Toplikar, Vickrey, Weber, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aurand, Beggs, Benlon, Bethell, Burroughs, Cox, Crow, Dreher, Faber, Feuerborn, Findley, Flaharty, Flora, Gilbert, Glasscock, Goering, Gordon, Hayzlett, Henderson, Hermes, Krehbiel, Kuether, Lane, Light, Loganbill, Loyd, Mason, McClure, Minor, Jim Morrison, Newton, Ostmeyer, Owens, Pauls, Phelps, Ray, Reardon, Ruff, Sharp, Shriver, Shultz, Sloan, Stone, Storm, Wilk.

Present but not voting: Neufeld.

Absent or not voting: Mays, O’Brien, Spangler, Tomlinson, D. Williams.

The motion prevailed, and **HB 2377** be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2487** be adopted; and the substitute bill be passed.

Pursuant to House Rule 1903, **HB 2989, HB 2988, HB 2990** be passed over and retain their place on the calendar.

On motion of Rep. Goering to amend **HB 2996**, the motion did not prevail and the bill be passed.

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

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were thereupon introduced and read by title:

**HB 3017**, An act enacting the renewable energy electricity generation cooperative act; providing for the organization of cooperative corporations to generate electricity from renewable resources and technologies and to transmit and sell such electricity at wholesale, by Committee on Appropriations.

**HB 3018**, An act concerning school districts; relating to finance and quality performance; extended school terms; school building closings; amending K.S.A. 72-8213 and K.S.A. 2001 Supp. 72-6407, 72-6439 and 72-8233 and repealing the existing sections; also repealing K.S.A. 72-8136a, 72-8136b, 72-8136c, 72-8136d and 72-8136e, by Committee on Appropriations.

#### **COMMITTEE ASSIGNMENT CHANGE**

Speaker pro tem Aurand announced the appointment of Rep. McCreary to replace Rep. Weber on Committee on Appropriations.

#### **REPORT ON ENGROSSED BILLS**

**HB 2085, HB 2337, HB 2763, HB 2751, HB 2802, HB 2810; Sub. HB 2979** reported correctly engrossed March 8, 2002.

#### **REPORT ON ENROLLED BILLS**

**Sub. HB 2625** reported correctly enrolled, properly signed and presented to the governor on March 11, 2002.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Tuesday, March 12, 2002.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

