

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 15, 2002, 10:00 a.m.

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

The roll was called with 121 members present.

Rep. O'Brien was excused on verified illness.

Reps. Beggs, Krehbiel and T. Powell were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

Lord God, Giver of all that is needed and worthy and good, it is easy to praise you in the fullness of bounty. Songs of thanksgiving come readily to our lips in plentiful times. Your presence is always apparent as we feel the warmth of the sun and smell the first Spring rains. But when times are difficult, when it appears that blessings are in short supply, we find ourselves searching for you as if we believed we had been abandoned.

We proclaim you as a God who never abandons those whom he loves. We know that you are the God who brought creation out of chaos, who blessed the patriarchs, led the Hebrew children through the wilderness to freedom and who gave us your Word as a lamp unto our feet. If we cannot see you in our distress, O God, it must be because our vision has failed us, for you would never leave your children without the things they needed to live in fullness of body, mind and spirit.

Lead us now to the vision that honors your blessings. Lead this legislature through difficult decisions as you led the children of Israel through the wilderness to the land you promised. Hear our thanks as we acknowledge that you have already blessed our future and have prepared our path. Amen.

The Pledge of Allegiance was led by Rep. Kauffman.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills appearing on the calendar of March 14 as "To Be Referred," were referred to committees as indicated:

Education: **SB 403**.

Judiciary: **HB 3022**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **SB 483**, **SB 557**.

Education: **HR 6009**

Judiciary: **SB 521**.

Utilities: **HCR 5053**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Aurand announced **SB 541**, appearing on the Calendar as "To Be Referred," is referred to Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **SB 447** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2947** from Committee on Appropriations and referral to Committee on Local Government.

MESSAGE FROM THE GOVERNOR

March 8, 2002

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 02-320 for your information.

EXECUTIVE DIRECTIVE NO. 02-320

Authorizing a Personnel Transaction
BILL GRAVES
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, pursuant to House Rule 2306, **HB 2777** was withdrawn from the Calendar, under the heading General Orders, and rereferred to Committee on Education.

CONSENT CALENDAR

No objection was made to **SB 390** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2372, An act concerning the board of behavioral sciences; marriage and family therapists and psychologists; amending K.S.A. 2000 Supp. 65-6406 and 74-5310 and repealing the existing sections, was considered on final action.

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

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Goeing, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, 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, 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: Cook, Huebert.

Present but not voting: None.

Absent or not voting: Beggs, Krehbiel, O'Brien, T. Powell.

The bill passed, as amended.

HB 2612, An act relating to state finances; relating to revenues credited to the state general fund and budgets of state agencies; establishing the state debt reduction fund and the Kansas tax rebate fund; providing for transfers of moneys to such funds; biennial budget estimates for state agencies; amending K.S.A. 2001 Supp. 75-3717 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aday, Aurand, Ballard, Ballou, Barnes, 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, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, 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, 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: J. Peterson.

Present but not voting: None.

Absent or not voting: Beggs, Krehbiel, O'Brien, T. Powell.

The bill passed, as amended.

HB 2613, An act relating to state finances; concerning joint estimates of revenue to the state general fund; amending K.S.A. 75-6701 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, 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, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, 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, 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: Beggs, Krehbiel, O'Brien, T. Powell.

The bill passed, as amended.

HB 2681, An act concerning home plus; increasing the number of individuals to eight; amending K.S.A. 39-923 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, 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, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, 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, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thi-

mesch, 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: Beggs, Krehbiel, O'Brien, T. Powell.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2823**, **HB 2799**, **SB 507** be passed.

Committee report recommending a substitute bill to **Sub. HB 3012** be adopted; also, roll call was demanded on motion of Rep. Findley to amend on page 1, by striking all in lines 42 and 43;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 18 and inserting:

“Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Harper county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and the following voting districts in Lyon county: (000210), (000220), (000230); and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and the following voting districts in Nemaha county: (000010), (000020), (000030), (000040), (00005A), (00005B), (00005C), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000250), (000260), (000270), (000280), (000290), (000300); and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pottawatomie county; and all of Pratt county; and all of Rawlins county; and the following voting districts in Reno county: (000100), (000690); and all of Republic county; and all of Rice county; and all of Riley county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and the following voting districts in Chautauqua county: (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140); and all of Cherokee county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and the following voting districts in Douglas county: (000010), (000030), (00006A), (00052B), (000580), (000590), (000620), (000630), (000640), (000660), (000680); and all of Elk county; and all of Franklin county; and all of Greenwood county; and all of Jackson county; and all of Jefferson county; and the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (00009A), (00009B), (00009C), (00009D), (00014A), (00014B), (00014C), (00014D), (00014E), (00014F), (00015A), (00015B), (000160), (00017A), (00018A), (00018B), (000730), (00153D), (00227A), (00227B), (00249A), (00249B), (00249F), (00311A), (00311B), (00311C), (00311D), (003120); and all

of Labette county; and all of Leavenworth county; and all of Linn county; and the following voting districts in Lyon county: (000010), (000020), (000030), (00004A), (00004B), (00004C), (00005A), (00005B), (00006A), (00006B), (00006C), (000070), (000080), (00009A), (00009B), (00009C), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000240), (000250), (000260), (000270), (00028A), (00028B), (000290), (000300), (000310), (000320); and all of Miami county; and all of Montgomery county; and the following voting districts in Nemaha county: (00020B), (00020C), (000210), (000220), (00023A), (00023B), (000240); and all of Neosho county; and all of Osage county; and all of Shawnee county; and all of Wilson county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Douglas county: (000020), (000040), (000050), (00006B), (00006C), (00006D), (00007A), (00007B), (00007C), (000080), (000090), (00010A), (00010B), (00010C), (00010D), (000110), (00012A), (00012B), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000410), (000420), (000430), (00044A), (00044B), (00044C), (00044D), (00044E), (000450), (000460), (000470), (00048A), (00048B), (00048C), (00048D), (00049A), (00049B), (00050A), (00050B), (00050C), (00050D), (00052A), (00053A), (00053B), (000600), (000610), (000560), (000570), (000600), (00061A), (00061B), (00061C), (00061D), (000650), (00067A), (00067B); and the following voting districts in Johnson county: (000050), (000060), (00007A), (00007B), (00008A), (00008B), (000100), (000110), (000120), (000130), (00017B), (00017C), (00017D), (00017E), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000420), (000430), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000670), (000680), (000690), (000700), (000710), (00072A), (00072B), (00072C), (00072D), (00072E), (000740), (000750), (000760), (000770), (000780), (000790), (000800), (000810), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910), (000920), (000930), (000940), (000950), (000960), (000970), (000980), (000990), (001000), (001010), (00102A), (00102B), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001110), (001120), (001130), (001140), (001150), (001160), (00117A), (00117B), (00117C), (001180), (001190), (00120A), (00120B), (001210), (001220), (001230), (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001360), (001370), (001380), (001390), (001400), (001410), (001420), (001430), (001440), (001450), (001460), (001470), (001480), (001490), (001500), (001510), (001520), (00153A), (00153B), (00153C), (00153E), (00153F), (00153G), (00153H), (00153I), (00153J), (00153K), (00153L), (00153M), (00153N), (00153O), (00153P), (00153Q), (00153R), (00153S), (00153T), (00153U), (00153V), (00153W), (00153X), (00153Y), (00153Z), (001540), (001550), (001560), (001570), (001580), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002090), (002100), (002110), (002120), (002130), (002140), (002150), (002160), (002170), (002180), (002190), (002200), (002210), (002220), (002230), (002240), (002250), (002260), (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350), (002360), (002370), (002380), (002390), (002400), (002410), (002420), (002430), (002440), (002450), (002460), (002470), (002480), (00249C), (00249D), (00249E), (00249G), (00249H), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002840), (002850), (002860), (002870),

(002880), (002890), (002900), (002910), (002920), (002930), (002940), (002950), (002960), (002970), (002980), (002990), (003000), (003010), (003020), (003030), (003040), (003050), (003060), (003070), (003080), (003090), (003100), (003110), (003130), (003140), (003150), (00316A), (00316B), (00316C), (00316D), (00316E), (00316F), (00316G), (00316H), (00316I), (00316J), (00316K), (00316L), (00316M), (00316N), (00316O), (00316P), (00316Q), (00316R), (00316S), (00316T), (00316U), (00316V), (00316W), (00316X), (00316Y), (00316Z); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and the following voting districts in Chautauqua county: (000010); and all of Cowley county; and all of Harvey county; and the following voting districts in Reno county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (00037A), (00037B), (000380), (00039A), (00039B), (00039C), (000400), (000410), (000420), (000430), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (00055A), (00055B), (000560), (000570), (000580), (000590), (00060A), (00060B), (000610), (000620), (000630), (000640), (000650), (000660), (000670), (000680), (000700), (000710); and all of Sedgwick county; and all of Sumner county.”;

On roll call, the vote was: Yeas 45; Nays 74; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Barnes, Boston, Burroughs, Crow, Dillmore, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Grant, Henderson, Henry, Kirk, Klein, Kuether, Larkin, Loganbill, M. Long, McClure, McKinney, Minor, Nichols, Pauls, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Sloan, Spangler, Tafanelli, Thimesch, R. Toelkes, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Benlon, Bethell, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Landwehr, Lane, Levinson, Light, Lightner, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, Powers, Pyle, Ray, Schwartz, Stone, Storm, Swenson, Tomlinson, Toplikar, Vickrey, Weber, Wilk, D. Williams.

Present but not voting: None.

Absent or not voting: Beggs, Krehbiel, O'Brien, T. Powell, Shultz, Tanner.

The motion of Rep. Findley did not prevail.

Also, on motion of Rep. Boston to amend **Sub. HB 3012**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Larkin to amend **Sub. HB 3012** on page 1, by striking all in lines 42 and 43;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 18 and inserting:

“Sec. 4. Congressional district 1 shall consist of all of Barton county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Decatur county; and the following voting districts in Dickinson county: (000010), (00002A), (00002B), (00002C), (000030), (000040), (000050), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320); and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of McPherson county; and the following voting districts in Marshall county: (000130), (000150), (000270), (000280); and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness

county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pottawatomie county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Riley county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Cherokee county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and all of Lette county; and the following voting districts in Leavenworth county: (000010), (000040), (000070), (00017B), (00017C), (00017D), (00017E), (00017F), (00017G), (00017H), (00017I), (00019B), (00019C), (000310), (000360), (000370), (000380); and all of Linn county; and all of Lyon county; and the following voting districts in Marshall county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000140), (000160), (00017A), (00017B), (00018A), (00018B), (00019A), (00019B), (00019C), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000290), (000300); and the following voting districts in Miami county: (000020), (000050), (000060), (000090), (000100), (00011A), (00011B), (00011C), (00012A), (00013A), (00013B), (00013C), (00013D), (000140), (000150), (00016A), (00016B), (000170), (00018A), (00018B), (00019A), (00019B), (000280); and all of Montgomery county; and all of Nemaha county; and all of Neosho county; and all of Osage county; and all of Shawnee county; and all of Wabaunsee county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of all of Johnson county; and the following voting districts in Leavenworth county: (000020), (000030), (000050), (000060), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (000180), (00019A), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (00027B), (000280), (00029A), (00029B), (00029C), (00029D), (000300), (000320), (000330), (000340), (000350), (000390); and the following voting districts in Miami county: (000010), (00003A), (00003B), (00004A), (00004B), (00004C), (00007A), (00007B), (000080), (00012B), (000200), (000210), (000220), (00023A), (00023B), (00023C), (00023D), (000240), (000250), (000260), (000270); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Barber county; and all of Butler county; and all of Chase county; and all of Chautauqua county; and all of Comanche county; and all of Cowley county; and the following voting districts in Dickinson county: (000060); and all of Elk county; and all of Greenwood county; and all of Harper county; and all of Harvey county; and all of Kingman county; and all of Marion county; and all of Sedgwick county; and all of Sumner county; and all of Wilson county.”;

On roll call, the vote was: Yeas 35; Nays 84; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Barnes, Boston, Dillmore, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Grant, Henderson, Henry, Kirk, Kuether, Larkin, Loganbill, McClure, Minor, Nichols, Pauls, E. Peterson, Phelps, Pyle, Sharp, Showalter, Shriver, Spangler, R. Toelkes, Wells, Welshimer, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Benlon, Bethell, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Klein, Landwehr, Lane, Levinson, Light, Lightner, Lloyd, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McKinney, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O’Neal, Osborne, Ostmeyer, Owens, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, Powers, Ray, Reardon, Rehorn, Ruff, Schwartz, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tomlinson, Toplikar, Vickrey, Weber, Wilk, D. Williams.

Present but not voting: None.

Absent or not voting: Beggs, Krehbiel, O'Brien, T. Powell, Tanner, Thimesch.

The motion of Rep. Larkin did not prevail.

Also, roll call was demanded on motion of Rep. Nichols to amend **Sub. HB 3012** on page 1, by striking all in lines 42 and 43;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 18 and inserting:

“Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Brown county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Doniphan county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and the following voting districts in Kingman county: (000020), (000050), (000070), (000090), (000130), (000180), (000200), (000210), (000220), (000230), (000240), (000250); and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of Lyon county; and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Nemaha county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and the following voting districts in Pottawatomie county: (000050), (000130); and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Cherokee county; and all of Coffey county; and all of Crawford county; and the following voting districts in Douglas county: (000010), (000030), (00006A), (00052B), (000580), (000590), (000620), (000630), (000640), (000660), (000680); and all of Franklin county; and all of Geary county; and all of Jackson county; and all of Jefferson county; and the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (00009A), (00009B), (00009C), (00009D), (00014A), (00014B), (00014C), (00014D), (00014E), (00014F), (00015A), (00015B), (000160), (00017A), (00018A), (00018B), (000730), (00153D), (00227A), (00227B), (00249A), (00249B), (00249F), (00311A), (00311B), (00311C), (00311D), (003120); and all of Labette county; and all of Leavenworth county; and all of Linn county; and all of Miami county; and all of Neosho county; and all of Osage county; and the following voting districts in Pottawatomie county: (000010), (000020), (000030), (000040), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (00026A), (00026B), (000270); and all of Riley county; and all of Shawnee county; and all of Wilson county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Douglas county: (000020), (000040), (000050), (00006B), (00006C), (00006D), (00007A), (00007B), (00007C), (000080), (000090), (00010A), (00010B), (00010C), (00010D), (000110), (00012A), (00012B), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000410), (000420), (000430), (00044A), (00044B), (00044C), (00044D), (00044E), (000450), (000460), (000470), (00048A), (00048B), (00048C), (00048D), (00049A), (00049B), (00050A), (00050B), (00050C), (00050D), (00052A),

(00053A), (00053B), (000540), (000560), (000570), (000600), (00061A), (00061B), (00061C), (00061D), (000650), (00067A), (00067B); and the following voting districts in Johnson county: (000050), (000060), (00007A), (00007B), (00008A), (00008B), (000100), (000110), (000120), (000130), (00017B), (00017C), (00017D), (00017E), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000420), (000430), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000670), (000680), (000690), (000700), (000710), (00072A), (00072B), (00072C), (00072D), (00072E), (000740), (000750), (000760), (000770), (000780), (000790), (000800), (000810), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910), (000920), (000930), (000940), (000950), (000960), (000970), (000980), (000990), (001000), (001010), (00102A), (00102B), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001110), (001120), (001130), (001140), (001150), (001160), (00117A), (00117B), (00117C), (001180), (001190), (00120A), (00120B), (001210), (001220), (001230), (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001360), (001370), (001380), (001390), (001400), (001410), (001420), (001430), (001440), (001450), (001460), (001470), (001480), (001490), (001500), (001510), (001520), (00153A), (00153B), (00153C), (00153E), (00153F), (00153G), (00153H), (00153I), (00153J), (00153K), (00153L), (00153M), (00153N), (00153O), (00153P), (00153Q), (00153R), (00153S), (00153T), (00153U), (00153V), (00153W), (00153X), (00153Y), (00153Z), (001540), (001550), (001560), (001570), (001580), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002090), (002100), (002110), (002120), (002130), (002140), (002150), (002160), (002170), (002180), (002190), (002200), (002210), (002220), (002230), (002240), (002250), (002260), (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350), (002360), (002370), (002380), (002390), (002400), (002410), (002420), (002430), (002440), (002450), (002460), (002470), (002480), (00249C), (00249D), (00249E), (00249G), (00249H), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002840), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002930), (002940), (002950), (002960), (002970), (002980), (002990), (003000), (003010), (003020), (003030), (003040), (003050), (003060), (003070), (003080), (003090), (003100), (003110), (003130), (003140), (003150), (00316A), (00316B), (00316C), (00316D), (00316E), (00316F), (00316G), (00316H), (00316I), (00316J), (00316K), (00316L), (00316M), (00316N), (00316O), (00316P), (00316Q), (00316R), (00316S), (00316T), (00316U), (00316V), (00316W), (00316X), (00316Y), (00316Z); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Chautauqua county; and all of Cowley county; and all of Elk county; and all of Greenwood county; and all of Harper county; and all of Harvey county; and the following voting districts in Kingman county: (000010), (000030), (000040), (000060), (000080), (000100), (000110), (000120), (00014A), (00014B), (000150), (000160), (000170), (000190), (000260), (00027A), (00027B), (00027C); and all of Montgomery county; and all of Sedgwick county; and all of Sumner county.”;

On roll call, the vote was: Yeas 37; Nays 81; Present but not voting: 0; Absent or not voting: 7.

Yeas: Ballard, Barnes, Boston, Burroughs, Crow, Findley, Flaharty, Flora, Gatewood, Gilbert, Grant, Henderson, Henry, Huebert, Hutchins, Kirk, Klein, Kuether, Levinson,

Loganbill, M. Long, Minor, Nichols, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Showalter, Shriver, Spangler, Thimesch, R. Toelkes, Wells, Welshimer, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Benlon, Bethell, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Feuerborn, Freeborn, Garner, Glasscock, Goering, Gordon, Hayzlett, Hermes, Holmes, Horst, Howell, Huff, Humerickhouse, Huy, Johnson, Kauffman, Landwehr, Lane, Larkin, Light, Lightner, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, 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, Powers, Pyle, Ray, Schwartz, Sharp, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tomlinson, Toplikar, Vickrey, Weber, Wilk, D. Williams, J. Williams.

Present but not voting: None.

Absent or not voting: Beggs, Dillmore, Krehbiel, McClure, O'Brien, T. Powell, Tanner.

The motion of Rep. Nichols did not prevail.

Also, on motion of Rep. Henry to amend **Sub. HB 3012**, the motion did not prevail. Also, on motion of Rep. Wilson to amend, the motion did not prevail. Also, on further motion of Rep. Nichols to amend, the motion did not prevail. Also, on further motion of Rep. Wilson to amend, the motion did not prevail, and **Sub. HB 3012** be passed.

Pursuant to House Rule 1903, **HB 2764** be passed over and retain a place on the calendar.

Committee report to **HB 2808** be adopted; and the bill be passed as amended.

Committee report to **HB 2879** be adopted; also, on motion of Rep. DiVita to amend, the motion was withdrawn and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2754** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture** recommends **SB 435** be passed.

The Committee on **Appropriations** recommends **HB 2982** be amended on page 1, in line 20, by striking "May 15" and inserting "July 1"; in line 31, following "shall", by inserting "(1)"; in line 35, preceding the period, by inserting ", (2) appoint a registered agent for service of process in the state and identify such registered agent to the attorney general, and (3) certify, under penalty of perjury, that all escrow payments have been made by all other tobacco product manufacturers that previously made or sold brand families identified under this subsection or brand style included within such brand families, except that, if the brand family or brand style was made or sold by the manufacturer before the effective date of this act, such manufacturer shall be required only to identify such predecessor manufacturer or manufacturers";

On page 2, by striking all in lines 21 through 27 and inserting:

"(g) The attorney general may require a nonparticipating manufacturer to make the required escrow payments in quarterly installments during the year in which the sales covered by such payments are made in order to be placed on the list developed by the attorney general under subsection (b).";

Also on page 2, in line 28, following "manufacturer", by inserting ", directly or indirectly,"; in line 29, by striking all following "falsely", and inserting "represent to any person in Kansas"; in line 34, by striking all following "has"; in line 35, by striking all preceding the period and inserting "satisfied any other requirements imposed pursuant to this statute"; and the bill be passed as amended.

The Committee on **Environment** recommends **SB 504** be amended on page 1, in line 14, before "K.S.A." by inserting "On and after July 1, 2002,"; by striking all in lines 33 through 35 and inserting:

"Sec. 2. On and after July 1, 2002, K.S.A. 32-932 is hereby amended to read as follows: 32-932. (a) Any person having a permanent disability to the extent that such person cannot physically use a conventional long bow or compound bow, as certified by a person licensed to practice ~~medicine and surgery in this state~~ *the healing arts in any state*, shall be authorized to hunt and take deer, antelope, elk or wild turkey with a crossbow.

(b) The secretary of wildlife and parks shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations requiring permits to hunt deer, antelope,

elk or wild turkey pursuant to subsection (a) and providing for the approval of applicants for such permits and the issuance thereof. In addition, the secretary may adopt rules and regulations limiting the times and areas for hunting and taking deer, antelope, elk and wild turkey and limiting the number of deer, antelope, elk and wild turkey which may be taken pursuant to subsection (a).

(c) Falsely obtaining or using a permit authorized by this section is a class C misdemeanor.

Sec. 3. On and after July 1, 2002, K.S.A. 32-933 is hereby amended to read as follows: 32-933. (a) Any person having a permanent physical or visual disability such that the person cannot safely hunt or fish in accordance with law and rules and regulations of the department, as certified by a person licensed to practice ~~optometry or medicine and surgery in this state~~ *the healing arts in any state or a person licensed to practice optometry in any state*, shall be eligible to obtain a disability assistance permit. The permit shall allow the permit-holder to designate another person to take, on behalf of and while accompanied by the permit-holder, the permit-holder's legal limit of game or fish. The person designated shall hold all licenses, permits, stamps or other issues of the department required for the activity being engaged in and the permit-holder shall remain subject to all other laws and rules and regulations of the department for the activity being engaged in. On the determination of the secretary, the disability assistance permit may designate the hunting or fishing activity for which assistance to the permit-holder may be provided.

(b) The secretary shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations providing for the approval of applicants for permits pursuant to subsection (a) and for the issuance of such permits.

(c) Falsely obtaining or using a permit authorized by this section is a class C misdemeanor.

Sec. 4. K.S.A. 32-937 is hereby amended to read as follows: 32-937. (a) When used in this section:

(1) "Landowner" means a resident owner of farm or ranch land of 80 acres or more located in the state of Kansas.

(2) "Tenant" means an individual who is actively engaged in the agricultural operation of 80 acres or more of Kansas farm or ranch land for the purpose of producing agricultural commodities or livestock and who: (A) Has a substantial financial investment in the production of agricultural commodities or livestock on such farm or ranch land and the potential to realize substantial financial benefit from such production; or (B) is a bona fide manager having an overall responsibility to direct, supervise and conduct such agricultural operation and has the potential to realize substantial benefit from such production in the form of salary, shares of such production or some other economic incentive based upon such production.

(3) "Regular season" means a statewide big game hunting season authorized annually which may include one or more seasons restricted to specific types of equipment.

(4) "Special season" means a big game hunting season in addition to a regular season authorized on an irregular basis or at different times of the year other than the regular season.

(5) "General permit" means a big game hunting permit available to Kansas residents not applying for big game permits as a landowner or tenant.

(6) "Nonresident landowner" means a nonresident of the state of Kansas who owns farm or ranch land of 80 acres or more which is located in the state of Kansas.

(7) "Nonresident permit" means a big game hunting permit available to individuals who are not Kansas residents.

(b) Except as otherwise provided by law or rules and regulations of the secretary and in addition to any other license, permit or stamp required by law or rules and regulations of the secretary, a valid big game permit and game tags are required to take any big game in this state.

(c) The fee for big game permits and game tags shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.

(d) A big game permit and game tags are valid throughout the state or such portion thereof as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805 and amendments thereto.

(e) Unless otherwise provided by law or rules and regulations of the secretary, a big game permit and game tags are valid from the date of issuance and shall expire at the end of the season for which issued.

(f) The secretary may adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations for each regular or special big game hunting season and for each management unit regarding big game permits and game tags. The secretary is hereby authorized to issue big game permits and game tags pertaining to the taking of big game. Separate big game permits and game tags may be issued for each species of big game. No big game permits or game tags shall be issued until the secretary has established, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, a regular or special big game hunting season.

(g) The secretary may authorize, by rule and regulation adopted in accordance with K.S.A. 32-805, and amendments thereto, landowner or tenant hunt-on-your-own-land big game permits. Such permits and applications may contain provisions and restrictions as prescribed by rule and regulation adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(h) The secretary may authorize, by rule and regulation adopted in accordance with K.S.A. 32-805 and amendments thereto, special landowner or tenant hunt-on-your-own-land deer permits. Such special permits shall not be issued to landowners or tenants in possession of a hunt-on-your-own-land deer permit as authorized in subsection (g). The special permits shall be transferable to any immediate family member of the landowner or tenant, whether or not a Kansas resident, or the permit may be retained for use by the landowner or tenant. The special permits shall be transferable through the secretary at the request of the landowner or tenant and by paying the required fee for a general deer permit. The special permits and applications may contain provisions and restrictions as prescribed by rule and regulation adopted by the secretary in accordance with K.S.A. 32-805 and amendments thereto. For the purposes of this subsection, "member of the immediate family" means lineal or collateral ascendants or descendants, and their spouses.

(i) Fifty percent of the big game permits authorized for a regular season in any management unit shall be issued to landowners or tenants, provided that a limited number of big game permits have been authorized and landowner or tenant hunt-on-your-own-land big game permits for that unit have not been authorized. A landowner or tenant is not eligible to apply for a big game permit as a landowner or as a tenant in a management unit other than the unit or units which includes such landowner's or tenant's land. Any big game permits not issued to landowners or tenants within the time period prescribed by rule and regulation may be issued without regard to the 50% limitation.

(j) Members of the immediate family who are domiciled with a landowner or tenant may apply for a resident big game permit as a landowner or as a tenant, but the total number of landowner or tenant hunt-on-your-own-land or special hunt-on-your-own-land permits issued to a landowner or tenant and a landowner's or tenant's immediate family for each big game species shall not exceed one permit for each 80 acres owned by such landowner or operated by such tenant. The secretary may require proof of ownership or tenancy from individuals applying for a big game permit as a landowner or as a tenant.

(k) The secretary may issue permits for deer or turkey to nonresident landowners, but any such permit shall be restricted to hunting only on lands owned by the nonresident landowner.

(l) The secretary may issue turkey hunting permits to nonresidents in turkey management units with unlimited turkey hunting permits available.

(m) The secretary may issue deer hunting permits to nonresidents, subject to the following limitations:

(1) The total number of nonresident deer firearm permits of each type specified by rules and regulations that may be issued for a deer season in a management unit and which may be used to take antlered deer shall not exceed 10% of the total number of resident deer firearm permits of such type authorized for such season in such management unit; and

(2) the total number of nonresident deer archery permits of each type specified by rules and regulations that may be issued for a deer season in a management unit and which may be used to take antlered deer shall not exceed 15% of the total number of resident deer archery permits of such type authorized for such season in such management unit.

Nonresident deer archery permits may be restricted to a particular deer species without regard to resident deer archery permit species restrictions, or lack thereof.

If an unlimited number of resident deer permits that may be used to take antlered deer is authorized for a deer season or management unit, the percentage limitations of subsections (m)(1) and (m)(2) shall be based upon the total number of resident firearm permits that may be used to take antlered deer and the total number of archery permits that may be used to take antlered deer, respectively, issued in the management unit during the most recent preceding similar season. If in a management unit there are an unlimited number of resident permits that may be used to take only antlerless deer, the secretary, in the secretary's discretion and in accordance with rules and regulations, may authorize the issuance of an unlimited number of nonresident permits that may be used to take only antlerless deer.

(n) Any nonresident deer hunting permits authorized under subsection (m) that remain unissued due to an insufficient number of nonresident applications as of a deadline determined by the secretary, shall be made available to residents.

(o) The secretary shall issue nonresident deer permits pursuant to subsection (m) to landowners and tenants applying for such permits, except that the total number of nonresident deer permits of each type specified by rules and regulations that may be issued to landowners and tenants for a deer season in a management unit shall not exceed 50% of the total number of nonresident deer permits of such a type authorized for such season in such management unit. A nonresident deer permit obtained by a landowner or tenant shall retain the permit's original designation, except that such permit shall be transferable, with or without consideration, to any resident or nonresident through the secretary at the request of the landowner or tenant. A landowner or tenant purchasing a nonresident deer permit pursuant to this subsection shall pay the established fee for a nonresident deer permit.

The provisions of this subsection shall expire on June 30, 2004.

(p) No big game permit issued to a person under 14 years of age shall be valid until such person reaches 14 years of age, except that *a person under 14 years of age may be issued a wild turkey permit, and a person who is 12 years or 13 years of age may be issued a permit for a big game species other than wild turkey. Such permits shall be valid only while the person is hunting under the immediate supervision of an adult 21 years of age or older, to: (1) Take big game using a firearm; or (2) take big game using a bow, if the person submits to the secretary evidence satisfactory to the secretary of completion of a bow hunting safety education course.*

(q) A big game permit shall state the species, number and sex of the big game which may be killed by the permittee. The secretary may furnish an informational card with any big game permit and, at the conclusion of the open season, each permittee receiving such card shall return the card to the department, giving such information as is called for on the card.

(r) The permittee shall permanently affix the game tag to the carcass of any big game immediately after killing and thereafter, if required by rules and regulations, the permittee shall immediately take such killed game to a check station as required in the rules and regulations, where a check station tag shall be affixed to the game carcass if the kill is legal. The tags shall remain affixed until the carcass is consumed or processed for storage.

(s) The provisions of this section do not apply to big game animals sold in surplus property disposal sales of department exhibit herds or big game animals legally taken outside this state.

Sec. 5. K.S.A. 32-937 is hereby repealed.

Sec. 6. On and after July 1, 2002, K.S.A. 32-920, 32-932 and 32-933 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.”;

In the title, in line 10, by striking all after “concerning”; in line 11, by striking all before the period and inserting “hunting; amending K.S.A. 32-920, 32-932, 32-933 and 32-937 and repealing the existing sections”; and the bill be passed as amended.

The Committee on **Federal and State Affairs** recommends **S. Sub. for SB 116, SB 407, SB 464**, be passed.

The Committee on **Federal and State Affairs** recommends **HB 2736** be amended on page 1, in line 24, by striking “ship or” and inserting “cause to be shipped or knowingly”;

On page 2, by striking all in lines 5 through 8; by relettering subsection (f) as subsection (e); in line 11, by striking “damages” and inserting “penalties”; in line 13, by striking all after “that”; in line 14, by striking all before “is”; also in line 14, after “violating” by inserting “or has violated”; in line 15, by striking “, for pecuniary gain”; in line 17, by striking “\$1,000,000”; by striking all in lines 18 and 19 and inserting “\$100,000 nor more than the maximum aggregate amount authorized by K.S.A. 60-1903, and amendments thereto, to be recovered for damages for nonpecuniary loss in a wrongful death action. Moneys collected pursuant to this subsection shall be deposited in the state general fund.”; by striking all in lines 20 through 27 and inserting:

“Sec. 3. Any person may bring a cause of action for injunctive relief against a person or entity that is reasonably believed to be about to violate or is in the course of violating section 1, and amendments thereto.”;

By renumbering section 3 accordingly; and the bill be passed as amended.

The Committee on **Federal and State Affairs** recommends **HB 2737** be amended on page 1, by striking all in lines 17 through 29; and the bill be passed as amended.

The Committee on **Local Government** recommends **SB 446** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

The Committee on **New Economy** recommends **SB 565** be amended on page 1, in line 27, by striking “The” and inserting “On and after July 1, 2003, the combined rate determined under this subsection shall not exceed 1.5%. On and after July 1, 2005, the”; in line 41, by striking “2%” and inserting “1%”; in line 43, after the period, by inserting:

“On and after July 1, 2003, the aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed 10% of the amount which results when the rate of 1.5% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.

On and after July 1, 2005, the aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed 10% of the amount which results when the rate of 2% is applied to all money withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.”; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 93, by Representative M. Long, congratulating Geoffrey Ponnath on attaining the rank of Eagle Scout;

Request No. 94, by Representative Dahl, honoring Fred and Ola Pracht on their 65th wedding anniversary;

Request No. 95, by Representative Dahl, honoring Jack and Sylvia Helmer on their 50th wedding anniversary;

Request No. 96, by Representative Dahl, honoring Ivan and Marie Clark on their 60th wedding anniversary;

Request No. 97, by Representative Patterson, commending Ryan R. Raybould and Charles “Trey” Schorgl III on attaining the rank of Eagle Scout;

Request No. 98, by Representative Garner, congratulating Earl Jones on winning a second consecutive Class 4A State wrestling title and finishing the season undefeated;

Request No. 99, by Representative Mayans, congratulating Sylvester and Marie Konecny on their 60th wedding anniversary;

Request No. 100, by Representative Wells, congratulating Wichita State students on their excellence in sports and academics;

Request No. 101, by Representative Larkin, congratulating the Centralia Girls Basketball Team on winning the State 1A championship;

Request No. 102, by Representative Larkin, congratulating the Centralia Boys Basketball Team on winning the State 1A championship;

Request No. 103, by Representatives Toelkes and Nichols, congratulating the Shawnee Heights Boys Basketball Team on winning the State 5A Championship;

Request No. 104, by Representative Hayzlett, congratulating the Lakin High School Boys Basketball Team on winning the Class 3A championship;

Request No. 105, by Representatives Tomlinson, Benlon, Lane, Judy Morrison, Newton and Storm, in memory of Sylvester Powell, Jr.;

Request No. 106, by Representative Osborne, congratulating Ramon Powers on 14 years of dedicated service;

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.

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 3023, An act relating to property taxation; concerning the determination of fair market value; amending K.S.A. 79-503a and repealing the existing section, by Committee on Appropriations.

HB 3024, An act concerning the powers and duties of certain boards of county commissioners; relating to community corrections and court services operations; amending K.S.A. 20-361 and 75-5292 and K.S.A. 2001 Supp. 19-101a and 75-52,110 and repealing the existing sections, by Committee on Appropriations.

HB 3025, An act concerning political subdivision budget expenditures from revenues produced by property tax levies; providing limitations thereon; repealing K.S.A. 2001 Supp. 79-2925b, by Committee on Taxation.

REPORT ON ENGROSSED BILLS

HB 2372, HB 2612, HB 2613, HB 2681 reported correctly engrossed March 14, 2002.

REPORT ON ENROLLED BILLS

HB 2679 reported correctly enrolled, properly signed and presented to the governor on March 15, 2002.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Monday, March 18, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

