

# Journal of the House

FORTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 22, 2002, 10:00 a.m.

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

The roll was called with 116 members present.

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

Reps. Ballard, Krehbiel, Neufeld, O'Neal, T. Powell, Wells and Wilson were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

Almighty God, as we celebrate the arrival of Spring and as we give thanks for warming temperatures and the new life that prepares to erupt all around us, let us remember that the Spring comes as part of your gift of the seasons. As certainly as the warmth of Summer will follow our Spring, another Autumn and another Winter already await our arrival. Such are the realities of this life you have given us in your love, O Lord.

But you do not abandon us to the mercies of the seasons. You walk with us and guide us in every season and circumstance. You are there when all is bright and promising and you are there when the cold winds chill us to the bone. You are there when life is easy and you are there when difficulties lead us to question life itself.

Hear our prayer of supplication this morning, Lord, as we pray for Melvin and Maxine Neufeld as they mourn the death of Kevin, their son. Be with them in the power of your Spirit to comfort and strengthen them in the dark winter of their sorrow. Remind them and assure them of your promise of new life and eternal comfort in your love.

And bring to each heart here today, O God, an awareness of how quickly priorities were reordered when faced with a friend's need for compassion and love. Perhaps in this most honest and human moment, we see the way past our conflicts and disagreements, a way that holds care for our brothers and sisters, your children, as our most important concern—a way that seeks to find the Spring that follows every Winter. Amen.

The Pledge of Allegiance was led by Rep. Hutchins.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HCR 5054; SB 421, SB 517.**

Ethics and Elections: **HCR 5055.**

Health and Human Services: **SB 630; SB 642.**

Judiciary: **SB 520.**

Taxation: **HB 3030; SB 471.**

Utilities: **SB 547.**

## CHANGE OF REFERENCE

Speaker Glasscock announced the withdrawal of **SB 403** from Committee on Education and referral to Committee on Higher Education.

**MESSAGE FROM THE SENATE**

Announcing passage of **SB 297**.

Also, announcing passage of **SB 484; Sub. SB 513**.

Announcing passage of **HB 2761, HB 2769**.

Also, announcing passage of **HB 2642**, as amended; **HB 2658**, as amended; **HB 2704**, as amended; **HB 2794**, as amended.

Announcing adoption of **SCR 1620**.

The Senate concurs in House amendments to **SB 95**.

Also, announcing passage of **Sub. SB 296**.

Announcing passage of **HB 2663, HB 2698**.

Also, announcing passage of **HB 2607**, as amended; **HB 2821**, as amended.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

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

**Sub. SB 296; SB 297, SB 484; Sub. SB 513; SCR 1620.**

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Hermes, **HR 6006**, A resolution in memory of Carl G. Ossmann, was adopted.

Rep. Hermes introduced Helen Ossmann, wife of Carl G. Ossmann; his son, Bill Ossmann and his wife, Catherine. Rep. Hermes presented the resolution to Mrs. Ossmann.

**CONSENT CALENDAR**

No objection was made to **HB 3021** appearing on the Consent Calendar for the first day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HR 6010**, A resolution urging the Federal Trade Commission to adopt and implement a national "do not call" registry, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Aday, Aurand, 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, Glasscock, Goe-ring, 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, Newton, Nichols, Novascone, 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, Welshimer, Wilk, D. Williams, J. Williams, Winn.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Beggs, Krehbiel, Neufeld, O'Brien, O'Neal, T. Powell, Wells, Wilson.

The resolution was adopted.

**SB 435**, An act concerning livestock; relating to regulation of livestock remedies; amending K.S.A. 65-2701 and K.S.A. 2001 Supp. 65-679 and 65-1626; also repealing K.S.A. 47-501, 47-502, 47-503, 47-505, 47-507, 47-508, 47-509, 47-510, 47-513, 47-514 and 47-515 and K.S.A. 2001 Supp. 47-504, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 4; Present but not voting: 0; Absent or not voting: 9.

Yeas: Aday, Aurand, 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, Glasscock, Goe-

ring, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Welshimer, Wilk, D. Williams, J. Williams.

Nays: Henderson, Loganbill, Spangler, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Beggs, Krehbiel, Neufeld, O'Brien, O'Neal, T. Powell, Wells, Wilson.

The bill passed.

**SB 464.** An act concerning alcoholic beverages; relating to the furnishing of alcoholic liquor or cereal malt beverage to a minor; amending K.S.A. 2001 Supp. 21-3610 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 4; Present but not voting: 0; Absent or not voting: 9.

Yeas: Aday, Aurand, 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, Glasscock, Goe-ring, Gordon, Grant, Hayzlett, 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, Newton, Novascone, 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, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, R. Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Welshimer, Wilk, D. Williams, J. Williams.

Nays: Henderson, Nichols, Spangler, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Beggs, Krehbiel, Neufeld, O'Brien, O'Neal, T. Powell, Wells, Wilson.

The bill passed.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Loyd, the House nonconcurrent in Senate amendments to **HB 2630** and asked for a conference.

Speaker Glasscock thereupon appointed Reps. O'Neal, Loyd and Pauls as conferees on the part of the House.

On motion of Rep. Hayzlett, the House nonconcurrent in Senate amendments to **HB 2675** and asked for a conference.

Speaker Glasscock thereupon appointed Reps. Hayzlett, Vickrey and M. Long as conferees on the part of the House.

On motion of Rep. Hayzlett, the House nonconcurrent in Senate amendments to **HB 2693** and asked for a conference.

Speaker Glasscock thereupon appointed Reps. Hayzlett, Vickrey and M. Long as conferees on the part of the House.

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

#### **COMMITTEE OF THE WHOLE**

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

Recommended that **SB 397**; **HB 2785**; **SB 546**, **SB 469** be passed.

**SCR 1622** be adopted.

Committee report to **HB 2828** be adopted; and the bill be passed as amended.

Committee report to **SB 392** be adopted; and the bill be passed as amended.

Committee report to **HB 3011** be adopted; and the bill be passed as amended.

On motion of Rep. Garner to amend **SB 390**, Rep. Dreher requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. Rep. Garner challenged the ruling, the question being, "Shall the Rules Chair be sustained?" Roll call was demanded.

On roll call, the vote was: Yeas 70; Nays 44; Present but not voting: 0; Absent or not voting: 11.

Yeas: Aday, Ballou, Benlon, Bethell, Boston, Campbell, Compton, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Landwehr, Lane, Light, Lightner, Lloyd, P. Long, Loyd, Mason, Mayans, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Newton, Novascone, Osborne, Ostmeyer, Owens, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, Powers, Pyle, Ray, Schwartz, Shultz, Sloan, Stone, Swenson, Tafanelli, Tanner, Tomlinson, Toplikar, Vickrey, Weber, Wilk.

Nays: Barnes, Burroughs, Cook, Crow, Dillmore, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Goering, Grant, Henderson, Henry, Howell, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, McClure, McKinney, Minor, Nichols, Pauls, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Spangler, Storm, Thimesch, R. Toelkes, Welshimer, J. Williams, Winn.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Beggs, Krehbiel, Neufeld, O'Brien, O'Neal, T. Powell, Wells, D. Williams, Wilson.

The Rules Chair was sustained, and **SB 390** be passed.

Committee report to **HB 2736** be adopted; also, on motion of Rep. Swenson to amend, Rep. Cook requested the question be divided. Seeing no challenge to the entire amendment being germane to the bill, the Chair ruled the amendment be divided. On Part A of the motion of Rep. Swenson, the motion did not prevail. On Part B, Rep. Swenson requested permission to withdraw the amendment. There was objection. The question reverted back to the motion of Rep. Swenson to amend on Part B, which did not prevail.

Also, on motion of Rep. Loyd **HB 2736** be amended on page 2, by striking all in lines 35 through 38;

And by renumbering the remaining section accordingly; and **HB 2736** be passed as amended.

Committee report to **HB 2737** be adopted; also, on motion of Rep. Cook be amended on page 2, following line 10, by inserting the following:

"(4) "Injury" means an act that would cause physical harm or damage to the embryo such as:

(A) Damaging the embryo in such a way that the embryo could not survive (severe damage);

(B) damage to the outer layer such that the embryo could not be implanted; and

(C) damage or removal of the cells inside of the embryo such that the embryo could not develop.

Injury does not preclude "preimplantation genetic diagnosis (PGD)" in which only one or two cells are removed from an early embryo to check the genetic makeup of the embryo for genetic disease.";

Also, on motion of Rep. Klein **HB 2737** be amended on page 2, in line 5, by striking "diagnostic"; and **HB 2737** be passed as amended.

On motion to recommend **HB 2654** favorably for passage, the motion did not prevail.

Committee report to **HB 2643** be adopted; and the bill be passed as amended.

Committee report to **SB 439** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

The Committee on **E-Government** recommends **SB 605** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL No. 605," as follows:

"HOUSE Substitute for SENATE BILL No. 605

By Committee on E-Government

AN ACT concerning certain reports by state agencies; amending K.S.A. 44-1408, 46-1212c, 66-117b and 75-3048 and K.S.A. 2001 Supp. 74-5049, 74-50,151, 74-50,152, 74-8004 and 74-8204 and repealing the existing sections."; and the substitute bill be passed.

(H. Sub. for SB 605 was thereupon introduced and read by title.)

The Committee on **Education** recommends **SB 409** be amended on page 1, after line 14, by inserting the following:

"Section 1. K.S.A. 12-105b is hereby amended to read as follows: 12-105b. (a) All claims against a municipality must be presented in writing with a full account of the items, and no claim shall be allowed except in accordance with the provisions of this section. A claim may be the usual statement of account of the vendor or party rendering a service or other written statement showing the required information.

(b) Claims for salaries or wages of officers or employees need not be signed by the officer or employee if a payroll claim is certified to by the administrative head of a department or group of officers or employees or an authorized representative that the salaries or wages stated therein were contracted or incurred for the municipality under authority of law, that the amounts claimed are correct, due and unpaid and that the amounts are due as salaries and wages for services performed by the person named.

(c) No costs shall be recovered against a municipality in any action brought against it for any claims allowed in part unless the recovery shall be for a greater sum than the amount allowed, with the interest due. Subject to the terms of applicable insurance contracts, judgments and settlements obtained for claims recoverable pursuant to the Kansas tort claims act shall be presented for payment in accordance with this section or in such manner as the governing body may designate.

(d) Any person having a claim against a municipality which could give rise to an action brought under the Kansas tort claims act shall file a written notice as provided in this subsection before commencing such action. The notice shall be filed with the clerk or governing body of the municipality and shall contain the following: (1) The name and address of the claimant and the name and address of the claimant's attorney, if any; (2) a concise statement of the factual basis of the claim, including the date, time, place and circumstances of the act, omission or event complained of; (3) the name and address of any public officer or employee involved, if known; (4) a concise statement of the nature and the extent of the injury claimed to have been suffered; and (5) a statement of the amount of monetary damages that is being requested. In the filing of a notice of claim, substantial compliance with the provisions and requirements of this subsection shall constitute valid filing of a claim. The contents of such notice shall not be admissible in any subsequent action arising out of the claim. Once notice of the claim is filed, no action shall be commenced until after the claimant has received notice from the municipality that it has denied the claim or until after 120 days has passed following the filing of the notice of claim, whichever occurs first. A claim is deemed denied if the municipality fails to approve the claim in its entirety within 120 days unless the interested parties have reached a settlement before the expiration of that period. No person may initiate an action against a municipality unless the claim has been denied in whole or part. Any action brought pursuant to the Kansas tort claims act shall be commenced within the time period provided for in the code of civil procedure or it shall be forever barred, except that, if compliance with the provisions of this subsection would otherwise result in the barring of an action, such time period shall be extended by the time period required for compliance with the provisions of this subsection.

(e) Claims against a municipality which provide for a discount for early payment ~~or~~ provide for the assessment of a penalty for late payment or require action prior to the next board meeting may be authorized to be paid in advance of approval thereof by the governing body in accordance with the provisions of this subsection. The governing body may designate

and authorize one or more of its officers or employees to pay any such claim made against the municipality in advance of its presentation to and approval by the governing body if payment of the amount of such claim is required before the next scheduled regular meeting of the governing body ~~in order for the municipality to benefit from the discount provided for early payment or to avoid assessment of the penalty for late payment.~~ Any officer or employee authorized to pay claims under this subsection shall keep an accurate record of all moneys paid and the purpose for which expended, and shall submit the record to the governing body at the next meeting thereof. Payments of claims by an officer or employee of the municipality under authority of this subsection are valid to the same extent as if the claims had been approved and ordered to be paid by the governing body.

(f) When an employee is required to travel on behalf of a municipality, the employee shall be entitled, upon complying with the provisions of the municipality's policies and regulations on employee travel, to timely payment of subsistence allowances and reimbursement for transportation and other related travel expenses incurred by the employee while on an approved travel status. When reimbursement through the regular claims approval process of the municipality will require more than 15 days from the date the reimbursement claim is filed, the claim may be authorized to be paid in advance of approval thereof by the governing body in accordance with the provisions of this subsection. The governing body may designate and authorize one or more of its officers or employees to pay any such claim made against the municipality in advance of its presentation to and approval by the governing body if payment of the amount of such claim is required before the next scheduled regular meeting of the governing body. Any officer or employee authorized to pay claims under this subsection shall keep an accurate record of all moneys paid and the purpose for which expended, and shall submit the record to the governing body at the next meeting thereof. Payments of claims by an officer or employee of the municipality under authority of this subsection are valid to the same extent as if the claims had been approved and ordered to be paid by the governing body.

(g) Claims submitted by members of a municipality's self-insured health plan may be authorized to be paid in advance of approval thereof by the governing body. Such claims shall be submitted to the administrative officer of such insurance plan.

(h) Claims against a school district for the purchase of food or gasoline while students are on a co-curricular or extra-curricular activity outside of the school boundaries may be paid in advance of approval thereof by the governing body in accordance with the provisions of this subsection. The governing body may designate and authorize one or more of its officers or employees to pay any such claim made against the school district in advance of its presentation to and approval by the governing body.

(i) Except as otherwise provided, before any claim is presented to the governing body or before any claim is paid by any officer or employee of the municipality under subsection (e) or (f), it shall be audited by the clerk, secretary, manager, superintendent, finance committee or finance department or other officer or officers charged by law to approve claims affecting the area of government concerned in the claim, and thereby approved in whole or in part as correct, due and unpaid.”;

And by renumbering sections accordingly;

Also on page 1, after line 39, by inserting the following:

“Sec. 4. K.S.A. 2001 Supp. 72-8201 is hereby amended to read as follows: 72-8201. Each unified school district shall be designated by the name and style of “unified school district No. \_\_\_\_\_ (the number designated by the state board of education), \_\_\_\_\_ county (naming the home county of the unified school district), state of Kansas,” and by such name may sue and be sued, execute contracts and hold such real and personal property as it may acquire. Every unified school district shall possess the usual powers of a corporation for public purposes. The board of education of every unified school district may delegate to the superintendent of schools, *or other employees of the district*, the power to execute contracts on behalf of the district for the purchase of goods and services if the value of such goods or services is less than \$10,000.”;

And by renumbering sections accordingly;

On page 12, in line 27, after “K.S.A.” where it appears for the first time, by inserting “12-105b and”; also in line 27, after “72-6426” by inserting “and 72-8201”;

On page 1, in the title, in line 10, after the semicolon where it appears for the last time by inserting "payments by school districts;"; in line 11, after "K.S.A." where it appears for the first time, by inserting "12-105b and"; in line 12, before "and" by inserting "and 72-8201"; and the bill be passed as amended.

The Committee on **Education** recommends **SB 551** be amended on page 1, in line 28, by striking all after "next"; in line 29, by striking "years" and inserting "school year";

On page 2, in line 8, by striking "succeeding three school years" and inserting "school year"; and the bill be passed as amended.

The Committee on **Federal and State Affairs** recommends **HB 2819** be passed.

The Committee on **Insurance** recommends **SB 586** be amended on page 1, in line 27, by striking all after "shall"; by striking all of lines 28 through 30; in line 31, by striking all before the semicolon and inserting "limit the number of days contained in an elimination period of confinement in a nursing facility or for all confinements in a nursing facility which are due to the same or related causes and separated from each other by less than 180 days"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **SB 208** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 208," as follows:

"HOUSE Substitute for SENATE BILL No. 208

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to toxic vapors; amending K.S.A. 8-1567 and repealing the existing section."; and the substitute bill be passed.

The Committee on **Judiciary** recommends **SB 434** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 434," as follows:

"HOUSE Substitute for SENATE BILL No. 434

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; amending K.S.A. 21-4715 and 74-7338 and K.S.A. 2001 Supp. 21-3520, 21-4619, 22-3437, 22-3717 and 22-4902 and repealing the existing sections."; and the substitute bill be passed.

(H. Sub. for **SB 434** was thereupon introduced and read by title.)

The Committee on **Rules and Journals** recommends **SCR 1613** be adopted.

The Committee on **Taxation** recommends **HB 2653** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2653," as follows:

"Substitute for HOUSE BILL No. 2653

By Committee on Taxation

"AN ACT relating to antique vehicles; concerning certificates of title; inspections; amending K.S.A. 8-116a and 8-170 and repealing the existing sections."; and the substitute bill be passed.

(Sub. **HB 2653** was thereupon introduced and read by title.)

The Committee on **Taxation** recommends **HB 2878** be amended on page 5, in line 24, after the period by inserting "In the event the authority of a recreation commission is revoked pursuant to this subsection, the taxing authority may continue to levy a tax in the manner prescribed by the petition language for the purpose of paying any outstanding obligations of the recreation commission which exist on the date such authority is revoked. The authority to levy a tax for this purpose shall continue only as long as such outstanding obligations exist."; in line 25, by striking all after "(2)"; by striking all in lines 26 through 31; in line 32, by striking "(3)"; and the bill be passed as amended.

The Committee on **Taxation** recommends **HB 2948** be amended on page 1, in line 16, after "income" by inserting ", privilege or premium"; in line 26, after "income" by inserting ", privilege or premium"; in line 27, by striking all after "which" and inserting "the qualified rehabilitation plan was placed in service, as defined by section 47(b)(1) of the federal internal revenue code and federal regulation section 1.48-12(f)(2)"; in line 29, after "income" by inserting ", privilege or premium"; in line 32, by striking "expendi-"; in line 33, by striking all before the period and inserting "rehabilitation plan was placed in service";

On page 2, after line 15, by inserting "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, or as the corporation, partnership or limited liability company mutually agree as provided in the by-laws or other executed agreement. Credits granted to a partnership, a limited liability company taxed as a partnership or other multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting any alternate distribution method."; in line 16, by striking all after "person"; in line 17, by striking "tax"; in line 18, by striking the comma; by striking all in lines 19 through 21; in line 22, by striking all before the period; also, in line 22, by striking "earned"; in line 24, after "for" by inserting "either the taxable year in which the qualified rehabilitation plan was first placed into service or"; in line 25, by striking all after the period; by striking all in line 26; in line 27, by striking all before "Unused"; in line 29, by striking "contribution"; in line 30, by striking all before the period and inserting "qualified rehabilitation plan was first placed into service"; in line 33, by striking "30" and inserting "90"; and the bill be passed as amended.

The Committee on **Transportation** recommends **HR 6007** be adopted.

The Committee on **Utilities** recommends **SB 490** be passed.

#### REPORT OF STANDING COMMITTEE

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

**Request No. 107**, by Representative Judy Morrison, congratulating South Park Elementary School for being named a Blue Ribbon School;

**Request No. 108**, by Representative Sloan, commending Doug Witt for his service to the residents of Douglas County;

**Request No. 109**, by Representative Sloan, honoring J. C. Long for his legislative service;

**Request No. 110**, by Representative Gilbert, commending the Wichita Heights High School Basketball Team on winning the 6A State championship;

**Request No. 111**, by Representative Johnson, congratulating Glenn E. Kohr on becoming Grand Master of Masons;

**Request No. 112**, by Representative Johnson, congratulating Dennis Johnson on becoming Grand Sword Bearer of Masons;

**Request No. 113**, by Representative Wells, commending the Wichita East High School Basketball Team on winning the Class 6A State championship;

**Request No. 114**, by Representative McKinney, congratulating Ms. Becca Flowers on being named Outstanding Secondary School Counselor;

**Request No. 115**, by Representative Hayzlett, congratulating The Lakin Independent on their 55 years of community service;

**Request No. 116**, by Representative R. Toelkes, congratulating Scott A. Haverkamp on attaining the rank of Eagle Scout;

**Request No. 117**, by Representative Weber, congratulating Logan Adams on attaining the rank of Eagle Scout;

**Request No. 118**, by Representative Toplikar, congratulating Deborah K. Ashcraft and Tonya R. Normandin on being named to the Washburn President's Honor Roll;

**Request No. 119**, by Representative Hermes, commending Virginia Ary on her years of service to the Auburn-Washburn Board of Education;

**Request No. 120**, by Representative Kent Glasscock, commending Kelly Keane on her contributions as a 2002 Legislative Intern;

**Request No. 121**, by Representative Patterson, honoring Jim Gill on his service to the students of Blue Valley;

**Request No. 122**, by Representative McKinney, congratulating Sue Givens on being named as Kansas Master Teacher;



**Request No. 123**, by Representative Lightner, congratulating Shane O'Connor on attaining the rank of Eagle Scout;  
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 bill was thereupon introduced and read by title:

**HB 3031**, An act concerning natural gas; amending K.S.A. 55-102 and repealing the existing section, by Committee on Taxation.

**MESSAGE FROM THE SENATE**

Announcing adoption of **SCR 1624**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate concurrent resolution was thereupon introduced and read by title:

**SCR 1624**.

**REPORT ON ENROLLED BILLS**

**HB 2611, HB 2623, HB 2629, HB 2670, HB 2694, HB 2695, HB 2792, HB 2807, HB 2809** reported correctly enrolled, properly signed and presented to the governor on March 22, 2002.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6006, HR 6010** reported correctly enrolled and properly signed on March 22, 2002.

On motion of Rep. Weber, the House adjourned until 3:00 p.m., Monday, March 25, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

