

Journal of the House

FORTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 20, 2009, 10:30 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 119 members present.
Rep. Ballard was excused on legislative business.
Reps. Aurand, Brookens, Garcia, Horst and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
From Atchison to Ulysses,
from Atwood to Parsons,
from Concordia to Wellington,
from Goodland to Overland Park.
Our representatives stand before us
working hard to make the decisions
on topics very close to our hearts.
The answers are not always very clear,
and not everyone likes the results.
But let it be known far and near,
in spite of any and all faults,
we appreciate their hard work
given unselfishly each and every day.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Rardin.

CORRECTION OF REFERENCE

Speaker O'Neal announced **HB 2388** appearing on the Calendar under Reference of Bills and Concurrent Resolutions as being referred to Committee on Economic Development and Tourism, should be corrected to be referred to Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **Sub. SB 214; SCR 1610.**

Federal and State Affairs: **HB 2389; SB 218.**

Health and Human Services: **HR 6019.**

Insurance: **HB 2390.**

Transportation: **SB 300.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2169** from Committee on Local Government and referral to Committee on Veterans, Military, and Homeland Security.

Also, the withdrawal of **HR 6015** from Committee on Agriculture and Natural Resources and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **SB 225** from Committee on Education Budget and referral to Committee on Higher Education.

MESSAGES FROM THE GOVERNOR

HB 2023, HB 2045, HB 2068 approved on March 19, 2009.

MESSAGES FROM THE SENATE

Announcing passage of **SB 22, SB 93, SB 247, SB 293, SB 297, SB 306, SB 313.**

Announcing passage of **Sub. HB 2143; HB 2270, HB 2321.**

Announcing passage of **HB 2002**, as amended; **HB 2010**, as amended; **HB 2060**, as amended; **HB 2096**, as amended by **S. Sub. for HB 2096; HB 2131**, as amended; **HB 2134**, as amended.

The Senate nonconcur in House amendments to **SB 161**, requests a conference and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

Also, the Senate nonconcur in House amendments to **SB 11**, requests a conference and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 80**, requests a conference and has appointed Senators V. Schmidt, Apple and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 131**, requests a conference and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 145**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 171**, requests a conference and has appointed Senators V. Schmidt, Apple and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2052** and has appointed Senators Teichman, Brownlee and Steineger as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 22, SB 93, SB 247, SB 293, SB 297, SB 306, SB 313.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 11**.

Speaker O'Neal thereupon appointed Reps. Huntington, Rhoades and Mah as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 80**.

Speaker O'Neal thereupon appointed Reps. Huebert, Schwab and Sawyer as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 131**.

Speaker O'Neal thereupon appointed Reps. Huntington, Rhoades and Mah as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 145**.

Speaker O'Neal thereupon appointed Reps. Hayzlett, Vickrey and Long as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 161**.

Speaker O'Neal thereupon appointed Reps. Aurand, Horst and Winn as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 171**.

Speaker O'Neal thereupon appointed Reps. Huebert, Schwab and Sawyer as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 1** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2310**, **HB 2366**; **SB 183** appearing on the Consent Calendar for the second day.

No objection was made to **SB 175** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 175. An act concerning school districts; relating to the powers and duties thereof, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Benlon, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed.

HB 2295. An act concerning milk and dairy products; relating to labels for such products, was considered on final action.

On roll call, the vote was: Yeas 75; Nays 44; Present but not voting: 0; Absent or not voting: 6.

Yeas: Bethell, Bowers, A. Brown, Burgess, Carlin, Carlson, Craft, Crum, DeGraaf, Donohoe, Faber, Feuerborn, Fund, Furtado, George, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Henry, Hermanson, Hill, Hineman, C. Holmes, Huebert, Jack, Johnson, Kerschen, King, Knox, Landwehr, Light, Lukert, Maloney, Mast, McCray-Miller, McLeland, Merrick, Morrison, Moxley, Myers, Navinsky, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Schroeder, Schwab, Schwartz, Sloan, Swanson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, Worley.

Nays: Benlon, T. Brown, Brunk, Burroughs, Colloton, Crow, Davis, Dillmore, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Henderson, M. Holmes, Huntington, Kelley, Kiegerl, Kinzer, Kleeb, Kuether, Lane, Loganbill, Long, Mah, Menghini, Neighbor, Pauls, Peck, Peterson, Quigley, Rardin, Ruiz, Sawyer, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, K. Wolf, Yoder.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: While I appreciate the spirit behind Truth in Labeling, I cannot support the trend to squeeze out the small farmer/homesteader who is attempting to fill a niche market that the large farms can't address. Of particular note is the requirement that the disclaimer, however valid, be in a font of similar size and style as the claim concerning hormones. We don't even require that of the Surgeon General's warning on cigarettes, which appears in small type and usually not on the front of the pack. I believe this portion of the bill is overkill. I vote "no" on **HB 2295**.— MITCH HOLMES, S. MIKE KIEGERL, ARLEN SIEGFREID

SB 16, An act concerning the pharmacy act of the state of Kansas; declaring certain acts not to be in violation of said act; amending K.S.A. 65-1636 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Benlon, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed.

SB 19, An act concerning crimes and punishment; relating to the criminal use of weapons; amending K.S.A. 21-4217 and 21-4218 and K.S.A. 2008 Supp. 21-4201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 31; Present but not voting: 0; Absent or not voting: 6.

Yeas: Bethell, Bowers, A. Brown, Brunk, Burgess, Burroughs, Carlson, Colloton, Crum, Davis, DeGraaf, Donohoe, Faber, Finney, Fund, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hayzlett, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Lukert, Mah, Mast, McCray-Miller, McLeland, Merrick, Morrison, Moxley, Myers, Navinsky, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Phelps, Powell, Prescott, Proehl, Rhoades, Roth, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Svaty, Swanson, Swenson, Tafanelli, Talia, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, Worley, Yoder.

Nays: Benlon, T. Brown, Carlin, Craft, Crow, Dillmore, Feuerborn, Flaharty, Frownfelter, Furtado, Hawk, Henderson, Huntington, Kuether, Lane, Loganbill, Long, Maloney, Menghini, Neighbor, Peterson, Pottorff, Quigley, Rardin, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, K. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed, as amended.

SB 38, An act concerning hospital districts; relating to the formation of a hospital district in Linn county, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Benlon, Bethell, Bowers, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed.

SB 85, An act concerning the secretary of state; relating to return of filings to corporations and limited partnerships; amending K.S.A. 17-6003, 17-7301, 17-7678 and 56-1a156 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Benlon, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed, as amended.

SB 97, An act concerning the liquor enforcement tax; relating to violations by retailers; prescribing penalties therefor, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Benlon, Bethell, Bowers, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Brookens, Garcia, Horst, Winn.

The bill passed, as amended.

On motion of Rep. Merrick, the House resolved into Committee of the Whole, with Rep. A. Brown in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. A. Brown, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2353** be passed over and retain a place on the calendar.

Committee report to **SB 178** be adopted; and the bill be passed as amended.

Committee report to **SB 163** be adopted; and the bill be passed as amended.

On motion of Rep. M. Holmes to amend **SB 228**, the motion was withdrawn, and the bill be passed.

Committee report to **SB 72** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long Term Care** recommends **SB 31** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 31," as follows:

"HOUSE Substitute for SENATE BILL No. 31

By Committee on Aging and Long-term Care

"AN ACT concerning the state long-term care ombudsman; defining terms; establishing advisory committee on advocacy options within the home; amending K.S.A. 2008 Supp. 75-7303 and repealing the existing section."; and the substitute bill be passed.

(**H. Sub. for SB 31** was thereupon introduced and read by title.)

Committee on **Aging and Long Term Care** recommends **SB 43** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 43," as follows:

"HOUSE Substitute for SENATE BILL No. 43

By Committee on Aging and Long-term Care

"AN ACT concerning crimes and punishment; relating to mistreatment of a dependent adult; amending K.S.A. 21-3437 and repealing the existing section."; and the substitute bill be passed.

(**H. Sub. for SB 43** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 51** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 51," as follows:

"HOUSE Substitute for SENATE BILL No. 51

By Committee on Agriculture and Natural Resources

"AN ACT concerning cities; relating to annexation; amending K.S.A. 12-519, 12-520b, 12-521, 12-531 and 12-532 and K.S.A. 2008 Supp. 25-432 and repealing the existing sections.";

and the substitute bill be passed.

(**H. Sub. for SB 51** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **SB 204** be amended on page 1, by striking all in lines 15 through 43;

On page 2, by striking all in lines 1 through 15 and inserting the following:

"Section 1. Except as provided in this section no land shall be annexed pursuant to subsections (a)(1), (4), (5) and (6) of K.S.A. 12-520, and amendments thereto, unless the board of county commissioners determines by resolution adopted within 30 days following the conclusion of the hearing on the proposed annexation that the proposed annexation will not have an adverse effect on such county. The board of county commissioners shall deliver a copy of such resolution to the city. If the board of county commissioners fails to adopt such a resolution within the 30-day period, the annexation shall be deemed to have been approved by the board of county commissioners.";

And by renumbering the remaining section accordingly;

In the title, in line 9, by striking all after "concerning"; by striking all in lines 10 and 11; in line 12, by striking all before the period and inserting "cities; relating to annexation"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 253** be amended on page 4, after line 25, by inserting the following:

"Sec. 3. K.S.A. 19-2960 is hereby amended to read as follows: 19-2960. (a) The board of county commissioners, by resolution, may provide for the adoption or amendment of zoning regulations for the unincorporated portion of the county in the manner, and for the purposes, provided by this act. Such regulations may (1) restrict and regulate the height, number of stories and size of buildings; (2) the percentage of lots that may be occupied; (3) the size of yards, courts and other open spaces; (4) the density of population, including minimum width, depth and area of lots; (5) the location and use of buildings, structures and land for industry, business, trade or residence; and (6) the use of land located in areas designated as flood-plains. Such resolution shall define the boundaries of zoning classifications by description contained therein or by setting out such boundaries upon a map incorporated and published as a part of such resolution, or by providing for the incorporation by reference in such resolution of an official map upon which such boundaries shall be fixed. Such map shall be marked "official copy incorporated by resolution of the board of county commissioners the _____ day of _____, 19____," and filed in a public office designated by the board of county commissioners and shall be a public record.

(b) *Except as provided in subsection (c)*, before the board of county commissioners creates any zone, district or zoning classification or regulates or restricts the use of buildings or land in the unincorporated portion of the county, the board shall require the planning commission to recommend to the board of county commissioners the nature and number of zoning classifications which the planning commission deems necessary, the boundaries of the same and appropriate regulations or restrictions to be enforced therein. All such regulations shall be uniform for each class or kind of buildings or land uses throughout each zoning classification, but the regulations in one zoning classification may differ from those in other zoning classifications, and the regulations may prescribe conditions under which conditional use permits may be issued providing exceptions to such uniform regulations. The issuance of any conditional use permit shall be considered a change or revision to the zoning map and shall be subject to the same notice, hearing and voting requirements prescribed herein for rezonings. The regulations shall be made in accordance with a land use plan and, in addition to the purposes provided in K.S.A. 19-2956, shall be designed to (1) lessen congestion in each district; (2) provide adequate light and air; (3) prevent the overcrowding of land; (4) avoid undue concentrations of population; and (5) to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration, among other things, to existing conditions, to the character of the district, its peculiar suitability for particular uses and with a view to conserving the values of buildings and encouraging the most appropriate use of land within the county.

The notice, hearing and voting procedures for adoption of the zoning regulations shall be the same as that required for adoption of the comprehensive plan as provided by K.S.A. 19-2958.

After adoption of the zoning resolution, the zoning regulations, the zoning classifications or the boundaries contained therein may from time to time be supplemented, changed or generally revised by amendment. The boundaries on the zoning map may from time to time be changed or revised by a rezoning or conditional use permit. A proposal for an amendment, rezoning or conditional use permit may be initiated by the board of county commissioners, the planning commission, any zoning board or upon application of the owner of property affected.

The board of county commissioners may establish reasonable fees to be paid in advance by the owner of any property at the time of making application for any amendment, rezoning or conditional use permit.

All such proposed amendments, rezonings or conditional use permits first shall be submitted to either the planning commission for recommendation regarding amendments or the appropriate zoning board for recommendation regarding rezonings or conditional use

permits. All notice, hearing and voting procedures for consideration of proposed amendments, rezonings and conditional use permits shall be the same as that required for amendments, extensions or additions to the comprehensive plan as provided by K.S.A. 19-2958. Rezonings and conditional use permits shall be designated by legal description and general street location and, in addition to publication notice, written notice of such proposed rezoning or conditional use permit shall be mailed to all owners of record of lands located within 1,000 feet of the property affected by such rezoning or conditional use permit and an opportunity granted to interested parties to be heard, all as provided in the zoning regulations. Failure to receive such notice shall not invalidate any subsequent action taken.

On hearings concerning rezonings and conditional use permits, such notice is sufficient to permit the zoning board to make a recommendation which affects only a portion of the land described in the notice or which gives all or any part of the land described a zoning classification of lesser change than that set forth in the notice. Recommending a zoning classification of lesser change than that set forth in the notice shall not be valid without republication, remailing and a new public hearing unless the planning commission shall have previously established, with the approval of the board of county commissioners, a table or publication available to the public which designates what zoning classifications are lesser changes authorized within the adopted zoning resolution.

If such amendment, rezoning or conditional use permit affects the boundaries of any zoning classification, the resolution of the board of county commissioners shall describe the boundaries, as amended, or if the county has made provision for the fixing of the same upon an official map which has been incorporated by reference, the amending resolution shall define the change or the boundary, as amended, shall order the official map to be changed to reflect such amendment and shall reincorporate such map as amended.

Regardless whether a zoning board recommends to approve or disapprove a proposed rezoning or conditional use permit or "fails to recommend" if a protest against such rezoning or conditional use permit is filed in the office of the county clerk within 14 days after the date of the conclusion of the public hearing held pursuant to such publication notice, duly signed and acknowledged by the owners of 20% or more of any real property subject to the rezoning or conditional use permit or by the owners of 20% of the total area, except public streets and ways, located within 1,000 feet of the boundaries of the property subject to the rezoning or conditional use permit, the resolution adopting such rezoning or conditional use permit shall not be passed except by a favorable vote of at least $\frac{2}{3}$ of all of the members of the board of county commissioners.

(c) A resolution adopting rezoning or a conditional use permit for mining operations subject to K.S.A. 49-601 et seq., and amendments thereto, regardless of a protest petition or a failure to recommend by the planning commission, shall only require approval by a majority of all members of the board of county commissioners.

(d) Regulations adopted under authority of this act shall not apply to the existing use of any buildings or land and shall not prevent the restoration of a building damaged not more than 50% of its assessed valuation by fire, explosion, act of God, or the public enemy, or prevent the continuance of the use of such building or part thereof as such use existed at the time of such damage, but shall apply to any alteration, expansion or enlargement of a building or alteration of any land after the effective date of any such zoning resolution. No determination nor rule nor regulation shall be held to apply to the use of land for agricultural purposes, nor for the erection or maintenance of buildings thereon for such purposes so long as such land and buildings erected thereon are used for agricultural purposes and not otherwise.

No zoning regulations shall apply to the use of land for agricultural purposes nor for the erection or maintenance of agricultural buildings as long as such agricultural buildings are used for agricultural purposes and no other. Dwellings, garages and other similar accessory buildings shall not be considered as agricultural buildings. All buildings, including agricultural buildings, may be regulated as to setback requirements from public roads so as to protect the future use and improvement of such roads.

~~(e)~~ *(e) Whenever the board of county commissioners has adopted, as a part of the comprehensive plan, a plan for its present or future street or highway system and such plan outlines the intentions of the county for improvements to existing streets or highways, for*

constructing new streets or highways or for establishing right-of-way needs for streets or highways, the board of county commissioners is hereby authorized, by resolution, to establish, further regulate and limit, and to change and amend, additional building or setback lines on such present or future streets or highways. The board of county commissioners is also authorized to prohibit any new building being located within such building or setback line outside the corporate limits of any city. The resolution may be adopted, and amended or changed, as a part of the zoning regulations.”;

And by renumbering the remaining sections accordingly;

Also on page 4, in line 26, by striking “is” and inserting “and 19-2960 are”;

On page 1, in the title, in line 10, after the semicolon, by inserting “relating to counties declared urban areas;”; also in line 10, after “12-757” by inserting “and 19-2960”; in line 11, by striking “section” and inserting “sections”; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 254** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 254,” as follows:

“HOUSE Substitute for SENATE BILL No. 254

By Committee on Agriculture and Natural Resources

“AN ACT relating to annexation; amending K.S.A. 2008 Supp. 12-520 and repealing the existing section.”; and the substitute bill be passed.

(**H. Sub. for SB 254** was thereupon introduced and read by title.)

Agriculture and Natural Resources Budget Committee recommends **HB 2383** be amended on page 2, in line 6, after “or” by inserting “civil”;

On page 3, in line 33, after “and” by inserting “civil”;

On page 5, in line 42, after “or” by inserting “civil”;

On page 6, in line 42, after “or” by inserting “civil”;

On page 7, by striking all in lines 5 through 13;

And by renumbering the remaining sections accordingly;

Also on page 7, in line 15, by striking the comma where it appears the first time and inserting “and”; also in line 15, by striking “and 82a-952”;

In the title, in line 10, by striking the comma where it appears the second time and inserting “and”; also in line 10, by striking “and 82a-952”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 212** be amended on page 3, after line 2, by inserting:

“(j) If any provision of this section is determined by a court to be invalid or unconstitutional, this section is repealed in accordance with the intent of the legislature to enhance strict regulatory control over taxation of alcoholic liquor and over distribution and sale of wine by licensed persons or entities having a substantial presence in Kansas.

New Sec. 2. (a) Notwithstanding any other provisions of the Kansas liquor control act, the club and drinking establishment act or the Kansas cereal malt beverage act, any person who is licensed to sell wine pursuant to K.S.A. 41-308a, and amendments thereto, may apply to the director for an annual bona fide farmers’ market sales permit. Such permit shall authorize the licensee, a member of the licensee’s family or an employee of the licensee to sell wine in the original unopened container produced and bottled by the licensee at a bona fide farmers’ market located at a site approved by the director.

(b) Permits issued under this section shall be valid for one year from the date of issuance. A licensee shall not hold more than one bona fide farmers’ market sales permit at any one time.

(c) The licensee may only sell wine at a single bona fide farmers’ market on one day of the week. The location of the bona fide farmers’ market shall be specified in the application submitted to the director. The director shall notify the city, county and applicable law enforcement agency where the bona fide farmers’ market is to be held and of the issuance of a permit under this section for the sale of wine at such bona fide farmers’ market.

(d) For the purposes of this section, “bona fide farmers’ market” means any location held out to be a farmers’ market that is subject to inspection by the department of agriculture.

(e) The secretary may adopt rules and regulations as necessary to implement the provisions of this section.

(f) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 3. K.S.A. 41-305 is hereby amended to read as follows: 41-305. A manufacturer's license shall allow the manufacture and storage of alcoholic liquor and cereal malt beverage and the sale of alcoholic liquor and cereal malt beverage to distributors and nonbeverage users licensed in this state and to such persons outside this state as permitted by law. *A person holding a farm winery license issued pursuant to K.S.A. 41-308a, and amendments thereto, may also be issued a manufacturer's license; provided, that no alcoholic liquor or cereal malt beverage manufactured by such farm winery licensee shall be sold by such farm winery licensee at its licensed premises or at any of such licensee's winery outlets.*

Sec. 4. K.S.A. 2008 Supp. 41-308a is hereby amended to read as follows: 41-308a. (a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection (f), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(6) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

(7) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

(8) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2008 Supp. 41-348, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee; ~~and~~

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (f), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; *and*

(3) *the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.*

(c) Not less than 60% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas.

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve

samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any bona fide group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act.

(j) *If any provision of this section, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions of this section shall be construed to further limit rather than to expand commerce in alcoholic liquor and to enhance strict regulatory control over taxation, distribution and sale of wine through the three-tier regulatory system imposed by the Kansas liquor control act upon all alcoholic liquor and cereal malt beverages.*

Sec. 5. K.S.A. 2008 Supp. 41-317 is hereby amended to read as follows: 41-317. (a) Applications for all licenses under this act shall be upon forms prescribed and furnished by the director and shall be filed with the director in duplicate. Each application shall be accompanied by a state registration fee of \$50 for each initial application and \$10 for each renewal application to defray the cost of preparing and furnishing standard forms incident to the administration of this act and the cost of processing the application. Each application shall also be accompanied by a deposit of a certified or cashier's check of a bank within this state, United States post office money order or cash in the full amount of the license fee required to be paid for the kind of license applied for, which license fee shall be returned to the applicant if the application is denied. All registration fees shall be remitted by the director to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. All license fees received by the director, including fees received for licenses to manufacture beer, regardless of its alcoholic content, shall be paid into the state treasury by the director and shall be credited to the state general fund.

(b) Every applicant for a manufacturer's, distributor's, nonbeverage user's, microbrewery, farm winery or retailer's license shall file with the application a joint and several bond on a form prescribed by the director and executed by good and sufficient corporate sureties licensed to do business within the state of Kansas to the director, in the following amounts:

(1) For a manufacturer, \$25,000;

(2) for a spirits distributor, \$15,000 or an amount equal to the highest monthly liability of the distributor for taxes imposed by the Kansas liquor control act for any of the 12 months immediately prior to renewal of the distributor's license, whichever amount is greater;

(3) for a beer or wine distributor, \$5,000 or an amount equal to the highest monthly liability of the distributor for taxes imposed by the Kansas liquor control act for any of the 12 months immediately prior to renewal of the distributor's license, whichever amount is greater;

(4) for a retailer, \$2,000;

(5) for nonbeverage users, \$200 for class 1, \$500 for class 2, \$1,000 for class 3, \$5,000 for class 4 and \$10,000 for class 5; ~~and~~

(6) for a microbrewery or a farm winery, \$2,000; *and*

(7) *for a winery holding a special order shipping license, \$750, unless the winery has already complied with subsection (b)(6).*

If a distributor holds or applies for more than one distributor's license, only one bond for all such licenses shall be required, which bond shall be in an amount equal to the highest applicable bond.

(c) All bonds required by this section shall be conditioned on the licensee's compliance with the provisions of this act and payment of all taxes, fines and forfeitures which may be assessed against the licensee.”;

And by renumbering sections accordingly;

Also on page 3, in line 3, after “K.S.A.” by inserting “41-305 and K.S.A.”; also in line 3, after “Supp.” by inserting “41-308a, 41-317.”;

In the title, in line 11, after the semicolon, by inserting “amending K.S.A. 41-305 and K.S.A. 2008 Supp. 41-308a and 41-317 and repealing the existing sections; also”; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 105** be passed.

Committee on **Insurance** recommends **HB 2075** be amended by substituting a new bill to be designated as “Substitute for HOUSE BILL No. 2075,” as follows:

“Substitute for HOUSE BILL No. 2075

By Committee on Insurance

“AN ACT relating to the Kansas health policy authority; providing for a study of colorectal cancer screening insurance coverage.”; and the substitute bill be passed.

(**Sub. HB 2075** was thereupon introduced and read by title.)

Committee on **Insurance** recommends **SB 126** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 126,” as follows:

“HOUSE Substitute for SENATE BILL No. 126

By Committee on Insurance

“AN ACT concerning insurance; enacting the controlled insurance programs act.”; and the substitute bill be passed.

(**H. Sub. for SB 126** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 95** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 95,” as follows:

“HOUSE Substitute for SENATE BILL No. 95

By Committee on Judiciary

“AN ACT concerning crimes and punishment; relating to driving under the influence; amending K.S.A. 2008 Supp. 8-1001, 8-1012, 8-1014 and 8-1015 and repealing the existing sections.”;

and the substitute bill be passed.

(**H. Sub. for SB 95** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 154** be amended on page 1, after line 23, by inserting the following:

“(b) *Infectious diseases.* When any person is restrained because of an alleged infectious or communicable disease, the judge may appoint at least one competent physician to make an examination of such person and report findings to the judge.”;

And by relettering the remaining subsections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 158** be amended on page 2, in line 3, before “In” by inserting “(A)”; in line 4, after “request” by inserting “for restricted driving privileges”; also in line 4, after “a” where it appears for the last time, by inserting “non-refundable”; in line 6, by striking “restrictive” and inserting “restricted”; in line 7, after the period, by inserting: “The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund.

(B)”;

Also on page 2, in line 21, by striking “(1)” and inserting “(i)”; in line 22, by striking “(2)” and inserting “(ii)”; in line 23, by striking “(3)” and inserting “(iii)”; also in line 23, by striking “(4)” and inserting “(iv)”; in line 34, by striking “license” and inserting “driving privilege application”; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 237** be amended on page 1, after line 14, by inserting the following:

“Section 1. K.S.A. 21-3826 is hereby amended to read as follows: 21-3826. (a) Traffic in contraband in a correctional institution *or care and treatment facility* is introducing or attempting to introduce into or upon the grounds of any correctional institution *or care and treatment facility* or taking, sending, attempting to take or attempting to send from any correctional institution *or care and treatment facility* or any unauthorized possession while in any correctional institution *or care and treatment facility* or distributing within any correctional institution *or care and treatment facility*, any item without the consent of the administrator of the correctional institution *or care and treatment facility*.

(b) For purposes of this section: :

(1) “Correctional institution” means any state correctional institution or facility, conservation camp, ~~state security hospital~~, juvenile correctional facility, community correction center or facility for detention or confinement, juvenile detention facility or jail.

(2) “*Care and treatment facility*” means the state security hospital provided for under K.S.A. 76-1305 *et seq.*, and amendments thereto, and a facility operated by the department of social and rehabilitation services for the purposes provided for under K.S.A. 59-29a02 *et seq.*, and amendments thereto.

(c) (1) Traffic in contraband in a correctional institution *or care and treatment facility* of firearms, ammunition, explosives or a controlled substance which is defined in subsection (e) of K.S.A. 65-4101, and amendments thereto, is a severity level 5, nonperson felony. *This paragraph shall not apply to the possession of a firearm or ammunition by a person licensed under the personal and family protection act, K.S.A. 75-7c01 et seq., and amendments thereto, in a parking lot open to the public if the firearm or ammunition is carried on the person while in a vehicle or while securing the firearm or ammunition in the vehicle, or stored out of plain view in a locked but unoccupied vehicle.*

(2) Traffic in any contraband, as defined by rules and regulations adopted by the secretary, in a correctional institution by an employee of a correctional institution is a severity level 5, nonperson felony.

(3) *Traffic in any contraband, as defined by rules and regulations adopted by the secretary of social and rehabilitation services, in a care and treatment facility by an employee of a care and treatment facility is a severity level 5, nonperson felony.*

(d) Except as provided in subsection (c), traffic in contraband in a correctional institution *or care and treatment facility* is a severity level 6, nonperson felony.”;

And by renumbering the remaining sections accordingly;

On page 2, in line 4, by striking “motor”; also in line 4, after “vehicle” where it appears for the second time, by inserting “not requiring a title as provided in chapter 8 of the Kansas Statutes Annotated, and amendments thereto”; in line 5, by striking “convenience” and inserting “conveyance”; in line 14, by striking “either”; in line 18, after “unit” by inserting “; or any other vehicle part”; in line 20, by striking “(e)” and inserting “(d)”;

On page 3, in line 3, by striking the comma where it appears the fourth time; in line 5, by striking the comma; in line 23, after the semicolon by inserting “and”; in line 25, by striking “; and” and inserting a period;

On page 5, in line 8, by striking “scrap”; also in line 8, by striking “property”; in line 28, by striking all after the stricken period; by striking all in line 29; in line 30, by striking all before the period and inserting “for which the minimum fine is \$200”; by striking all in lines 34 and 35; in line 36, by striking all before the period and inserting “for which the minimum fine is \$500”; in line 40, by striking all after “misdemeanor”; by striking all in line 41; in line 42, by striking all before the period and inserting “for which the minimum fine is \$1,000”; in line 43, after “Sec. 5.” by inserting “K.S.A. 21-3826 and”;

In the title, in line 10, by striking “scrap metal; relating to regulation thereof” and inserting “crimes, punishment and criminal procedure”; in line 11, after “ing” by inserting “K.S.A. 21-3826 and”; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2253** be amended on page 2, in line 31, by striking “The” and inserting “Upon written request, the”; after line 33, by inserting:

“(h) The board of directors shall cause an annual audit of the homeowners’ association’s receipts and expenditures to be made by a certified public accountant. Such audit shall be based upon the expenditures and receipts occurring during a calendar year or the homeowners’ association tax year if different from a calendar year and shall be made at the expense of the homeowners’ association. A copy of such audit shall be made available to any member of the homeowners’ association upon receipt of a written request from such member. The homeowners’ association shall also file a copy of such audit with the attorney general within 30 days after receipt thereof.”;

On page 3, after line 6, by inserting:

“Sec. 4. Each resident shall have the right to attend any regular or special meeting of the board of directors of the homeowners’ association or any regular or special meeting of the homeowners’ association. At any such meeting, the resident shall be entitled to speak on any issue discussed at such meeting regardless of whether or not such resident’s dues or assessments are delinquent at the time of such meeting.”;

And by renumbering sections accordingly;

Also on page 3, in line 11, by striking “shall” and inserting “may”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 78** be passed.

Committee on **Taxation** recommends **HB 2328** be amended on page 32, in line 19, by striking “2009” and inserting “2011”; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2382** be amended on page 3, following line 1, by inserting the following:

“(h) Contingent on the findings of the Amtrak feasibility study, the transportation program may develop a passenger rail program to provide passenger service in the state.”;

And by relettering subsections accordingly; 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. 73, by Representative D. Gatewood, congratulating Knut and Barbara Farstvedt on their 40th Wedding Anniversary;

Request No. 74, by Representative Prescott, congratulating Meredith Foulke as winner of The Topeka Capital-Journal Regional Spelling Bee;

Request No. 75, by Representative Bowers, congratulating Ray Harlow on receiving Volunteer of the Year Award sponsored by Lincoln County Emergency Management;

Request No. 76, by Representative Crum, commending Garrett Buthe on being chosen Muscular Dystrophy Association’s 2009 Goodwill Ambassador;

Request No. 77, by Representative Worley, congratulating Patrick Tyler Connell in recognition of achieving the rank of Eagle Scout;

Request No. 78, by Representative Neighbor, commending the Bluejacket-Flint Elementary School on receiving the 2009 “Rita Blitt Kindest School Award”;

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

On motion of Rep. Merrick, 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 2391, An act concerning the personal and family protection act; amending K.S.A. 2008 Supp. 75-7c10 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2392, An act concerning contracts; relating to requests for proposals issued by state agencies, by Committee on Federal and State Affairs.

HB 2393, An act concerning civil procedure; relating to civil court records; expungement thereof, by Committee on Taxation.

REPORT ON ENGROSSED BILLS

HB 2295 reported correctly engrossed March 19, 2009.

REPORT ON ENROLLED BILLS

HB 2003, HB 2007, HB 2157, HB 2188, HB 2207, HB 2232; Sub. HB 2339 reported correctly enrolled, properly signed and presented to the governor on March 20, 2009.

On motion of Rep. Merrick, the House adjourned until 10:00 a.m., Monday, March 23, 2009.

SUSAN W. KANNARR, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

