

Journal of the House

THIRTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 25, 2001, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Aurand in the chair. The roll was called with 122 members present. Reps. Kline, Krehbiel and Pottorff were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Steve McVey, pastor, Lamont Wesleyan Church, Lamont, and guest of Rep. P. Long:

Father God, Maker of heaven and earth.

We thank Thee today for the many blessings you have bestowed on this great country and state. Freedom, justice, and peace are all gifts from your gracious hand, and we thank you for them.

We recognize that all authority and power are also from your hand, and we thank you for the awesome responsibility you have bestowed on this place. We humbly ask for wisdom and grace for each legislator as they perform the business of the people this day. May you ordain their decisions and guide their thoughts.

May all that is done be pleasing in your sight. We put this day and this session into your hands, asking that your will be done.

We pray this in the name of the Father, the Son and the Holy Spirit. Amen.

The Pledge of Allegiance was led by Rep. Compton.

INTRODUCTION OF GUESTS

Speaker pro tem Aurand offered congratulations to Bill Whim of DeSoto for being named the 2000 National Truck Driver of the Year by the American Trucking Association and by the Kansas Motor Carrier's Association. Bill has had a stellar safety record of five million accident-free miles in 49 years. He was accompanied to the House by his wife, Charlotte.

Also, Speaker pro tem Aurand recognized Victoria Kovtun from Mikalihea, Ukraine, and Aurica Balmus from Kishano, Moldova. This is the last day they will serve as interns for House members. Both have been interning from the Freedom Support Act and will be returning to their respective countries to promote democratic processes throughout the world.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2163. An act concerning sales tax and revenue bonds; relating to the financing thereof; amending K.S.A. 2000 Supp. 12-1775 and 74-8923 and repealing the existing sections, by Representatives Ballou, Humerickhouse, Hutchins, Kuether, Myers, Ostmeyer, J. Peterson, Powers, Tafanelli and Tanner.

HB 2164. An act concerning state governmental ethics law; relating to the definition of certain terms; amending K.S.A. 46-229 and repealing the existing section, by Committee on Ethics and Elections.

HB 2165. An act relating to property taxation; concerning school district levies and exemptions therefrom; amending K.S.A. 2000 Supp. 72-6431 and 79-201x and repealing the existing section, by Committee on Taxation.

HB 2166. An act amending the homestead property tax refund act; allowing an income tax credit for refund claims allowed thereunder; amending K.S.A. 2000 Supp. 79-4504 and repealing the existing section, by Committee on Taxation.

HB 2167. An act concerning retail electric bills to consumers; providing for disclosure of certain components, by Committee on Utilities.

HB 2168. An act concerning broadband internet access transport services; requiring cable operators to provide certain access to such services; providing remedies for violations, by Committee on Utilities.

HB 2169. An act relating to state moneys; concerning the investment thereof; amending K.S.A. 75-4221 and K.S.A. 2000 Supp. 75-4237 and repealing the existing sections, by Committee on Financial Institutions.

HB 2170. An act relating to nursing pools; providing for registration thereof; providing for minimum standards for the operation of nursing pools, by Committee on Appropriations.

HB 2171. An act concerning counties; relating to the enforcement of county resolutions; amending K.S.A. 2000 Supp. 19-101d, 19-4707 and 20-310a and repealing the existing sections, by Committee on Local Government.

HB 2172. An act repealing K.S.A. 2000 Supp. 58-2005; concerning land surveys; concerning plats, by Committee on Local Government.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2152, HB 2153.**

Business, Commerce and Labor: **HB 2150.**

Education: **HB 2155.**

Financial Institutions: **HB 2146, HB 2147, HB 2148, HB 2149.**

Health and Human Services: **HB 2141, HB 2151, HB 2154.**

Insurance: **HB 2162.**

Judiciary: **HB 2135, HB 2136, HB 2137, HB 2138, HB 2156, HB 2159.**

Local Government: **HB 2157, HB 2158, HB 2161.**

Taxation: **HB 2139, HB 2140, HB 2160.**

Transportation: **HB 2142, HB 2143, HB 2144, HB 2145.**

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Aurand announced the following bill, appearing on the Calendar as "To Be Referred," was referred to committee as indicated:

Calendar and Printing: **HCR 5007.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 15, SB 18.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 15, SB 18.

CONSENT CALENDAR

No objection was made to **HB 2016** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2031, HB 2032** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2035. An act enacting the KAN-ED act; providing for establishment and maintenance of a broadband technology-based network for certain schools, libraries and hospitals, was considered on final action.

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

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita,

Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Minor, Jim Morrison, Judy Morrison, Myers, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, L. Powell, T. Powell, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Kuether, Landwehr, P. Long, Miller, Neufeld, Powers, Shriver, Spangler.

Present but not voting: None.

Absent or not voting: Kline, Krehbiel, Pottorff.

The bill passed, as amended.

HR 6004, A resolution adopting permanent rules of the House of Representatives for the 2001-2002 biennium, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aday, Alldritt, Aurand, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, 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'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, 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: Kline, Krehbiel, Pottorff.

The resolution was adopted, as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **HB 2017** be passed.

The Committee on **Appropriations** recommends **HB 2036** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT OF STANDING COMMITTEE

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

Request No. 17, by Representative Spangler, congratulating Louis L. Vallejo and Jacqueline Lozano on their 50th wedding anniversary;

Request No. 18, by Representative Dreher, congratulating Jack and Shirley McGrew on their 50th wedding anniversary;

Request No. 19, by Representative Dreher, congratulating Charles and Shirley Menzie on their 50th wedding anniversary;

Request No. 20, by Representative Glasscock, commending the Catholic schools in Kansas for promoting and ensuring a brighter, stronger future for Kansas and the Nation;

Request No. 21, by Representative Gatewood, congratulating the Baxter Springs Junior Little League All Star baseball team for winning the 2000 state, divisional and regional title;

Request No. 22, by Representative Patterson, congratulating Dr. David Benson for being named 2001 Kansas Superintendent of the Year;

Request No. 23, by Representative Reardon, congratulating Terry English, Bishop Miege High School girls basketball coach for winning 500 games and winning 11 state championships;

Request No. 24, by Representative Larkin, congratulating the Centralia Volleyball team for winning the 2000 1A State Volleyball Championship;

Request No. 25, by Representatives Ruff and Crow, congratulating Lois Richardson on her 100th birthday;

Request No. 26, by Representative Hayzlett, congratulating Bill Whim for being named 2000 National Truck Driver of the Year;

Request No. 27, by Representative Peggy Long, congratulating Therese Wilkinson on her new business;

Request No. 28, by Representative Peggy Long, congratulating Lee Arlon Mounkes on being named to the Washburn President's Honor Roll;

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. 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 2173. An act concerning expungement; amending K.S.A. 2000 Supp. 12-4516a and 22-2410 and repealing the existing sections, by Committee on Judiciary.

HB 2174. An act concerning district courts; relating to the clerks; amending K.S.A. 2000 Supp. 20-343 and 20-345 and repealing the existing sections, by Committee on Judiciary.

HB 2175. An act concerning civil procedure; relating to judgment liens; amending K.S.A. 2000 Supp. 60-2202 and 60-2418 and repealing the existing sections, by Committee on Judiciary.

HB 2176. An act concerning crimes and punishment; relating to unlawful sexual relations; amending K.S.A. 2000 Supp. 21-3520 and repealing the existing section, by Committee on Judiciary.

HB 2177. An act concerning the rights of residents of retirement communities to be represented on boards and committees of such communities. Committee on Judiciary.

HB 2178. An act concerning controlled substances; relating to gamma hydroxybutyric acid; amending K.S.A. 2000 Supp. 21-3445, 65-4101, 65-4105, 65-4109, 65-4111 and 65-7003 and repealing the existing sections, by Committee on Judiciary.

HB 2179. An act concerning the judicial branch of state government; relating to the budget therefor; amending K.S.A. 75-3718 and 75-3721 and K.S.A. 2000 Supp. 20-158 and repealing the existing sections, by Committee on Judiciary.

HB 2180. An act concerning state governmental ethics; relating to lobbying and restrictions thereon; amending K.S.A. 46-271 and repealing the existing section, by Committee on Ethics and Elections.

REPORT ON ENGROSSED BILLS

HB 2035 reported correctly engrossed January 24, 2001.

REPORT ON ENGROSSED RESOLUTIONS

HR 6004 reported correctly engrossed January 24, 2001.

On motion of Rep. Weber, the House adjourned pro forma until 9:00 a.m., Friday, January 26, 2001.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

