

Journal of the House

THIRTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 19, 2001, 10:30 a.m.

The House met pursuant to adjournment with Speaker pro tem Aurand in the chair.
The roll was called with 125 members present.

Prayer by Chaplain Svoboda-Barber:

Holy God

we welcome you again into our lives
today as we celebrate President's Day.

We thank you for the gift
of great leaders of this nation.

Be with us

and all leaders of government
in this and every land

that we all may be led

to wise decisions

and right actions

for the welfare and peace

of your whole creation.

I ask these things in your name. Amen.

The Pledge of Allegiance was led by Rep. DeCastro.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2513**, **HB 2518** (separately), **HB 2522**, **HB 2523**, **HB 2524**, **HB 2525**.

Education: **HB 2518** (separately); **SB 257**.

Ethics and Elections: **HB 2514**; **SB 127**.

Federal and State Affairs: **HB 2517**.

Higher Education: **HB 2516**.

Taxation: **HB 2519**, **HB 2520**.

Tourism: **HB 2515**; **SB 139**.

Utilities: **HB 2521**.

CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **HB 2067** from Committee on Judiciary and referral to Committee on Federal and State Affairs.

COMMUNICATIONS FROM STATE OFFICERS

From Rochelle R. Chronister, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention, 2000 Annual Report to the Governor.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2300, HB 2301, HB 2303, HB 2304** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2198; HCR 5008** appearing on the Consent Calendar for the third day. The bill and concurrent resolution were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2198. An act concerning the Kansas water pollution control revolving fund; amending K.S.A. 2000 Supp. 65-3322 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

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, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, 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: None.

The bill passed.

HCR 5008. A concurrent resolution urging the Congress of the United States to provide funding to the United States Army Corps of Engineers to study reallocation of storage space from the flood control pool to the conservation pool in John Redmond Lake in Coffey County, Kansas, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

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, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, 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: None.

The resolution was adopted.

HB 2009. An act concerning property taxation; providing exemptions for certain property, was considered on final action.

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

Yeas: Aday, Alldritt, Aurand, Ballard, Barnes, Beggs, Benlon, Bethell, Boston, Campbell, Compton, Cook, Cox, Crow, Dahl, DeCastro, Dillmore, DiVita, Dreher, Edmonds, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Garner, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henry, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, P. Long, Loyd, Mason, 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, Pottorff, L. Powell, T. Powell, Pyle, Ray, Rehorn, Ruff, Schwartz, Showalter, Shriver, Shultz, Sloan, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Vickrey, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Ballou, Burroughs, Henderson, M. Long, Mayans, Powers, Reardon, Sharp, Spangler.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2009**. Biodiesel fuels, praised as biodegradable and cleaner-burning than regular diesel, will simply keep dirty diesel engines on the road longer.

I would rather see experimenting with cleaner fuels, such as natural gas or fuel cells that produce electricity and a byproduct of water.—CARLOS MAYANS, DOUG SPANGLER

HB 2119. An act concerning certain park and recreation districts; relating to improvements; amending K.S.A. 19-2881 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

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, Kline, Krehbiel, Kuether, Landwehr, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, P. Long, Loyd, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, E. Peterson, J. Peterson, Phelps, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Reardon, Rehorn, Ruff, Schwartz, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Swenson, Tafanelli, Tanner, Thimesch, 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: None.

The bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2217**; **SB 15** be passed.

Committee report to **HB 2270** be adopted; and the bill be passed as amended.

Committee report to **HB 2190** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

The Committee on **Business, Commerce and Labor** recommends **HB 2263** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

The Committee on **Education** recommends **HB 2289** be amended on page 2, in line 7, after "movement", by inserting "; (9) any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun";

On page 4, in line 4, after "whether", by inserting "there are reasonable grounds to believe"; in line 5, by striking "committed an act which involved the" and inserting "was in"; following line 13, by inserting a new section as follows:

"Sec. 3. K.S.A. 2000 Supp. 72-89a01 is hereby amended to read as follows: 72-89a01. As used in this act:

(a) "Board of education" means the board of education of a unified school district or the governing authority of an accredited nonpublic school.

(b) "School" means a public school or an accredited nonpublic school.

(c) "Public school" means a school operated by a unified school district organized under the laws of this state.

(d) "Accredited nonpublic school" means a nonpublic school participating in the quality performance accreditation system.

(e) "Chief administrative officer of a school" means, in the case of a public school, the superintendent of schools and, in the case of an accredited nonpublic school, the person designated as chief administrative officer by the governing authority of the school.

(f) "Federal law" means the individuals with disabilities education act, section 504 of the rehabilitation act, the gun-free schools act of 1994, and regulations adopted pursuant to such acts.

(g) "Secretary of education" means the secretary of the United States department of education.

(h) "Weapon" means (1) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any weapon described in the preceding example; (3) any firearm muffler or firearm silencer; (4) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than ¼ ounce, (E) mine, or (F) similar device; (5) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than ½ inch in diameter; (6) any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled; (7) any bludgeon, sandclub, metal knuckles or throwing star; (8) any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement; (9) any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun. The term "weapon" does not include within its meaning (1) an antique firearm; (2) any device which is neither designed nor redesigned for use as a weapon; (3) any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; (4) surplus ordinance sold, loaned, or given by the secretary of the army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10 of the United States Code; (5) class C common fireworks.";

By renumbering sections 3 and 4 as sections 4 and 5, respectively;

Also on page 4, in line 14, after "Supp.", by inserting "72-89a01,";

In the title, in line 9, after the semicolon, by inserting "revising the definition of weapon"; in line 12, after "Supp.", by inserting "72-89a01,";

and the bill be passed as amended.

The Committee on **Environment** recommends **HB 2133** be amended on page 2, in line 27, by striking "of an existing project"; in line 29, by striking "either recreational purposes

or for flood control” and inserting “which has either recreational purposes or flood control purposes”;

On page 3, in line 8, by striking “future use”; in line 18, by striking “subsection (a)” and inserting “subsections (a) and (c)”; in line 23, preceding “The” by inserting “The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(d)”;

On page 4, in line 3, by striking “future use”; in line 25, following the period, by inserting “Subject to the provisions of subsection (d), the state may pay up to 100% of the engineering and construction costs of flood control and public water supply storage. All other costs of such project, including land, construction, operation and maintenance shall be paid by the sponsor.

(d) The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.”;

Also on page 4, in line 26, by striking “(d)” and inserting “(e)”;

On page 5, in line 10, by striking “future”; in line 11, by striking “use”; in line 20, by striking “The” and inserting “Subject to the provisions of subsection (c), the”; in line 24, preceding “The” by inserting “The state shall not participate in the costs of public water supply storage in a renovation project unless the Kansas water office determines that renovation is the most cost effective alternative for such storage. The state shall be authorized to pay only up to 50% of the engineering and construction costs of public water supply storage in such a renovation project.

(d)” and the bill be passed as amended.

The Committee on **Environment** recommends **HB 2471** be amended on page 2, in line 2, by striking “an decent economic standard,” and inserting “economic development, a”; in line 3, before the first “and” by inserting “, protection of natural resources, opportunities for natural resource and environmental education”; in line 19, before “forest” by inserting “prairie and grassland resources.”; in line 36, by striking “committee” and inserting “alliance”; and the bill be passed as amended.

The Committee on **Environment** recommends **HCR 5009** be amended on page 1, in line 18, by striking “will” and inserting “may”; in line 27, by striking all following “actions”; in line 28, by striking “productions”; in line 34, by striking “take action” and inserting “appropriate funds through the federal farm program to assist states”; and the concurrent resolution be adopted as amended.

The Committee on **Health and Human Services** recommends **HB 2059** be amended on page 1, in line 12, by striking “school of medicine” and inserting “medical center”; in line 13, after “tablish” by inserting: “, to the extent moneys are appropriated or grants or other funds are received therefor,”; in line 16, by striking “school”; in line 17, by striking “of medicine” and inserting “medical center”; also in line 17, by striking all after “staff”; in line 18, by striking “this act” and inserting “necessary to administer the program”; in line 19, after the period, by inserting: “In lieu of administering the program, the executive vice chancellor may contract with an external organization for administration of the act.”; after line 29, by inserting the following:

“(e) All expenditures for costs of the program established by this act, including costs of administration and all services therefor, shall be made out of the renal disease fund.”; and the bill be passed as amended.

The Committee on **Health and Human Services** recommends **HB 2127** be amended on page 1, in line 24, by striking all after “(c)”; by striking all in line 25; in line 26, by striking “(e)”; in line 28, by striking “(f)” and inserting “(d)”; in line 30, by striking “(g)”; in line 38, before “ “Infectious” by inserting the following:

“(e)”;

Also on page 1, by striking all in lines 40 and 41;

On page 2, in line 23, after "corrections" by inserting: "or the secretary's designee upon consultation with a medical care provider"; in line 42, by striking "HIV infection or hepatitis B" and inserting "an infectious disease"; and the bill be passed as amended.

The Committee on **Health and Human Services** recommends **HB 2154** be amended on page 1, in line 37, by striking "enumerated herein" and inserting "listed in this subsection (a)(1)"; in line 38, by striking "enumerated herein" and inserting "listed in this subsection (a)(1)"; in line 40, by striking "enumerated herein" and inserting "listed in this subsection (a)(1)";

On page 2, in line 16, by striking "enumerated herein" and inserting "listed in this subsection or subsection (a)(1)"; in line 18, by striking "enumerated herein" and inserting "listed in this subsection or subsection (a)(1)"; in line 19, after the semicolon by inserting: "(E) criminal solicitation of any of the crimes listed in this subsection or subsection (a)(1), pursuant to K.S.A. 21-3303 and amendments thereto;"; also in line 19, by striking "(E)" and inserting "(F)"; in line 24, by striking "(1)"; in line 26, by striking all after "convictions"; in line 27, by striking all before "con-" and inserting: ", convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction"; by striking all in lines 34 through 41; in line 43, by striking all after "request";

On page 3, by striking all in line 1; in line 2, by striking all before "from"; in line 3, by striking all after "environment"; in line 4, by striking all before "which" and inserting: "information regarding only felony convictions, convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction and"; in line 40, by striking all after "convictions"; in line 41, by striking "vided" and inserting: ", convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction";

On page 4, in line 4, by striking "regarding any felony convictions"; in line 32, after "convictions" by inserting: ", convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction";

On page 5, in line 16, by striking "enumerated herein" and inserting "listed in this subsection (a)(1)"; in line 17, by striking "enumer-"; in line 18, by striking "ated herein" and inserting "listed in this subsection (a)(1)"; in line 19, by striking "enumerated herein" and inserting "listed in this subsection (a)(1)"; in line 38, by striking "enumerated herein" and inserting: "listed in this subsection or subsection (a)(1)"; in line 40, by striking "enumerated herein" and inserting: "listed in this subsection or subsection (a)(1)"; in line 41, after the semicolon, by inserting: "(E) criminal solicitation of any of the crimes listed in this subsection or subsection (a)(1), pursuant to K.S.A. 21-3303 and amendments thereto;"; also in line 41, by striking "(E)" and inserting "(F)";

On page 6, in line 3, by striking "(1)"; in line 5, by striking all after "convictions"; by striking all in line 6 and inserting: ", convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction"; by striking all in lines 13 through 20; in line 22, by striking all after "request"; by striking all in line 23; in line 24, by striking all before "from"; in line 25, by striking all after "environment"; in line 26, by striking all before "which" and inserting: "information regarding only felony convictions, convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction and";

On page 7, in line 15, by striking "provided by the Kansas bureau of investigation" and inserting: "concerning felony convictions, convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction"; in line 27, by striking "a report of no conviction"; in line 29, by striking "or any"; in line 30, by striking "other felony";

On page 8, in line 5, by striking all after "convictions"; in line 6, by striking all before "to" and inserting: ", convictions under K.S.A. 21-3437 and 21-3517, and amendments thereto, and adjudications of a juvenile offender which if committed by an adult would have been a felony conviction"; and the bill be passed as amended.

The Committee on **Health and Human Services** recommends **HB 2313** be amended on page 11, in line 43, after the stricken "or" by inserting: "has had one year clinical experience, has performed intravenous fluid therapy prior to July 1, 1995, and has successfully passed an examination; or";

On page 12, in line 1, before "has" by inserting "(3)"; after line 29, by inserting the following:

"(f) No licensed practical nurse shall perform intravenous fluid therapy unless qualified to perform intravenous fluid therapy under this section and rules and regulations adopted by the board.";

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

The Committee on **Health and Human Services** recommends **HB 2457** be amended on page 6, in line 2, by striking "physician's" and inserting "physician";

On page 9, in line 39, by striking "physician's" and inserting "physician"; in line 40, by striking "physician's" and inserting "physician";

On page 13, in line 35, by striking "physician's" and inserting "physician"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2075**, **HB 2207** be passed.

The Committee on **Judiciary** recommends **HB 2083** be amended on page 1, in lines 20 and 21, by striking "At the request of the surety, the" and inserting "The"; also in line 21, by striking "may, for good cause commit"; also in line 21, by striking "such person"; in line 22, by striking all before "shall"; in line 23, before the period, by inserting: "upon the sworn statement, either written or oral, of the surety setting forth the reasons for the discharge. The magistrate may commit the party who is arrested as provided in this section"; in line 25, by striking all after the period; by striking all in lines 26, 27 and 28; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2176** be amended on page 1, in line 22, after "sodomy" by inserting: "is a person 16 years of age or older who"; in line 25, after "sodomy" by inserting: "is a person 16 years of age or older who";

On page 2, in line 11, by striking "or"; in line 16, before "lewd" by inserting: "not otherwise subject to subsection (a)(1)(C) of K.S.A. 21-3502, and amendments thereto."; also in line 16, after "sodomy" by inserting: "not otherwise subject to subsection (a)(3)(C) of K.S.A. 21-3506, and amendments thereto, is a person 16 years of age or older who"; in line 17, by striking the period and inserting the following: "or

(8) the offender is a teacher and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching or sodomy is 16 or 17 years of age and a student enrolled at the school where the offender teaches.";

Also on page 2, in line 26, before the semicolon, by inserting "and amendments thereto"; in line 34, by striking the period and inserting a semicolon; preceding line 35, by inserting the following:

"(9) "teacher" means and includes teachers, supervisors, principals, superintendents and any other employee who is required to have a teacher's or school administrator's certificate in any public or accredited private school; and

(10) "school" shall have the meaning ascribed to it in K.S.A. 2000 Supp. 72-89b02, and amendments thereto."; and the bill be passed as amended.

The Committee on **Judiciary** recommends **HB 2328** be amended on page 1, in line 15, by striking "for the purpose" and inserting "with the intent"; and the bill be passed as amended.

The Committee on **Local Government** recommends **HB 2120** be amended on page 1, following line 13, by inserting:

"Section 1. This act shall be known and may be cited as the amusement ride inspection and regulation act.";

By renumbering sections accordingly;

Also on page 1, in line 24, by striking all after the semicolon; following line 24, by inserting:

"(C) moon walks and other inflatable equipment; and";

Also on page 1, in line 25, by striking "(C)" and inserting "(D)"; in line 36, by striking "moon walks"; in line 37, by striking "and other inflatable equipment";

On page 2, in line 34, by striking "3" and inserting "4";

On page 3, following line 20, by inserting:

“(d) The governing body of a city or county may allow, in lieu of an insurance policy, an owner or operator to be self-insured.”;

Also on page 3, in line 21, by striking “such” and inserting “: (a) Such”; in line 25, before the period, by inserting “or the amusement industry manufacturers and suppliers international; and (b) a copy of such inspection certificate first has been filed with the manager of the state fair”; in line 29, by striking all after “before” and inserting “May 1, of such year and shall have been inspected at least once every 12 months. The”;

On page 4, in line 19, following “instructions” by inserting “and warnings”; by striking all in lines 20 through 25; following line 25, by inserting:

“Sec. 1. (a) Each patron shall:

(1) Exercise reasonable care under all circumstances while (A) waiting in the immediate vicinity of an amusement ride to get on the ride; (B) getting on an amusement ride; (C) using an amusement ride; (D) getting off an amusement ride; or (E) leaving an amusement ride and still in the immediate vicinity of the ride;”;

Also on page 4, in line 29, before the semicolon, by inserting “such that the patron is unable to safely use the amusement ride”; in line 30, following “all” by inserting “functioning”; in line 32, by striking “express”; in line 34, by striking “express”; in line 35, by striking “(c)” and inserting “(b)”; in line 39, before “injuries” by inserting “known”;

On page 5, by striking all in lines 8 and 9; in line 12, by striking “3” and inserting “4”; in line 14, by striking “4” and inserting “5”; in line 16, following “instructions” by inserting “and warnings”; in line 17, by striking “7” and inserting “8”; in line 31, by striking “9” and inserting “10”; following line 39, by inserting:

“Sec. 15. K.S.A. 40-4801, 40-4802, 40-4803 and 40-4804 are hereby repealed.”;

By renumbering sections accordingly;

In the title, in line 11, before the period by inserting “; also repealing 40-4801, 40-4802, 40-4803 and 40-4804”; and the bill be passed as amended.

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 2526, An act establishing the Kansas utilicare energy assistance program; providing for the funding thereof, by Committee on Federal and State Affairs.

On motion of Rep. Weber, the House adjourned until 10:30 a.m., Tuesday, February 20, 2001.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

