

# Journal of the House

SIXTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, April 25, 2001, 10:00 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 need your help.  
Make your presence in each of our hearts  
felt strongly and deeply  
throughout this veto session.  
Help us always remember  
that we are made in your image.  
Help us always remember  
how our decisions will affect  
the poor,  
the ill,  
the needy  
and all those without power.  
Help us to stand up  
to the difficult tasks  
in front of us.  
Guide us in your ways  
and love us throughout everything.  
I ask these things in Your name. Amen.

The Pledge of Allegiance was led by Rep. Freeborn.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2590.** An act concerning public safety officers; relating to administration of educational benefits for dependents of such officers; amending K.S.A. 75-4364 and repealing the existing section; also repealing K.S.A. 75-4364, as amended by section 1 of 2001 House Bill No. 2189, by Committee on Appropriations.

**HB 2591.** An act relating to annual reports; concerning economic development incentive effectiveness; amending K.S.A. 2000 Supp. 74-8017 and repealing the existing section; also repealing K.S.A. 2000 Supp. 74-8017, as amended by section 1 of 2001 House Bill No. 2219, by Committee on Appropriations.

**HB 2592.** An act relating to mineral severance tax; concerning the time of payment thereof; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections, by Committee on Appropriations.

**HB 2593.** An act concerning the Kansas development finance authority; authorizing the sale of certain state tobacco settlement receipts by the state; creating the great plains tobacco settlement financing corporation as an affiliate of the Kansas development finance authority; authorizing the issuance of bonds payable from tobacco asset payments; amending K.S.A.

38-2101 and 74-8909 and K.S.A. 2000 Supp. 74-8904 and 74-8905 and repealing the existing sections, by Committee on Appropriations.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2587, HB 2588.**

Higher Education: **HB 2589.**

#### MESSAGES FROM THE GOVERNOR

**HB 2291, HB 2473** approved on April 6, 2001.

Also, **Sub. HB 2005; HB 2015, HB 2098, HB 2127, HB 2128, HB 2369, HB 2550, HB 2551, HB 2552** approved on April 16, 2001.

Also, **HB 2099; Sub. HB 2129; HB 2131, HB 2134, HB 2189, HB 2289; S. Sub. for HB 2299; HB 2301, HB 2343** approved on April 18, 2001.

Also, **HB 2055, HB 2114, HB 2219; S. Sub. for HB 2303; HB 2493, HB 2515, HB 2573** approved on April 19, 2001.

Also, **S. Sub. for HB 2035** approved on April 20, 2001.

#### MESSAGE FROM THE GOVERNOR

April 24, 2001

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

Enclosed herewith is Executive Order No. 2001-03 for your information.

EXECUTIVE ORDER No. 2001-03  
Proclamation Declaring a Natural Disaster

BILL GRAVES  
*Governor*

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

#### COMMUNICATIONS FROM STATE OFFICERS

From Philip S. Harness, Director of Workers Compensation, Workers Compensation Annual Report (FY 2000) and Fraud and Abuse Unit Annual Report for 2000.

From Mark Beck, Director, Property Valuation Division, Department of Revenue, Statistical Report of Property Assessment and Taxation, March 2001.

From Janet Schlalansky, Secretary, Department of Social and Rehabilitation Services, Review Rate Structure for Community Developmental Disabilities, Final Report, April 11, 2001.

From Kansas Commission on National and Community Service, Volunteer Recognition Program, Using Service as a Strategy to Build Stronger Kansas Communities, 2000 Annual Report.

From Eric Hansen, Executive Director, Kansas Library Network Board, Kansas State Library, the Kansas Library network Board 2000 Annual Report.

From Phil Halstead, Executive Director, Business & Technology Institute, Annual Report, 2000.

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

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Weber, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S. Sub. for HB 2143; HB 2283, HB 2508; Sub. SB 171; HB 2586; SB 118; H. Sub. for SB 112; HB 2068, HB 2406; SB 161.**

On motion of Rep. Weber, the House recessed until 1:00 p.m.

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## AFTERNOON SESSION

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

**MESSAGE FROM THE SENATE**

The Senate nonconcurrs in House amendments to **SB 170**, requests a conference and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 343**, requests a conference and has appointed Senators Morris, Adkins and Feleciano as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Weber, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 170, SB 343; HB 2029**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Weber, the House acceded to the request of the Senate for a conference on **SB 170**.

Speaker pro tem Aurand thereupon appointed Reps. Wilk, Neufeld and Nichols as conferees on the part of the House.

On motion of Rep. Weber, the House acceded to the request of the Senate for a conference on **SB 343**.

Speaker pro tem Aurand thereupon appointed Reps. Wilk, Neufeld and Nichols as conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2068**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee of the Whole amendments, as follows:

On page 2, by striking all in lines 14 through 37 and inserting:

"New Sec. 2. (a) As used in this section, "municipality" means any city or county or agency, department or other division of a city or county.

(b) Except as provided by subsection (c) and as necessary to comply with the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, no municipality shall adopt or enforce an ordinance or resolution which requires any landlord to provide to such municipality a list of names of any tenants of such landlord.

(c) A municipality may require a landlord to provide to the municipality a list of the names of tenants occupying the landlord's property if a citation for a violation of an ordinance or resolution adopted to protect the public health, safety or welfare has occurred on such property. Such list shall not be required to be provided until at least 30 days following the date of the issuance of a citation. Such list shall not be required if the landlord complies with the provisions of such ordinance or resolution.

Sec. 3. K.S.A. 19-228 is hereby amended to read as follows: 19-228. (a) Except as provided by ~~subsection (b)~~ *this section*, the board of county commissioners shall cause to be published at the end of each calendar quarter or, if the county commissioners so provide, at the end of each month, an itemized statement of all sums of money allowed in excess of \$50, and for what purpose during the preceding quarter or month. Whenever salary and wages of employees or amounts paid to vendors or other items of expense are required to be published, the amount published shall reflect the total amount paid to such employee or vendor or the total amount of such expense during the period covered by the publication. Such statement shall be published once in a newspaper having the qualifications required by K.S.A. 64-101, and amendments thereto.

(b) In lieu of publishing an itemized statement of expenditures as required by subsection (a), the board of county commissioners may publish a summary of expenditures from each fund and the cash balance of each fund at the beginning and close of the quarter or month,

as appropriate. If a summary of expenditures is published as authorized by this subsection, a notice also shall be included that a detailed statement of expenditures is available for public inspection at the county clerk's office. Copies of such statement shall be available upon request.

(c) *If the governing body of the unified government of Wyandotte County/Kansas City publishes a summary of expenditures in lieu of the itemized statement of expenditures required by subsection (a), a notice also shall be included that a detailed statement of expenditures is available at the county clerk's office and at the main branch of the Kansas City, Kansas public library. Such notice shall be printed in 10-point boldface type.*”;

On page 5, following line 30, by inserting:

“Sec. 5. K.S.A. 19-2881 is hereby amended to read as follows: 19-2881. (a) Before the board of any park district created under K.S.A. 19-2859 to 19-2880, inclusive, and amendments thereto, shall let any contract for any improvement which is estimated to exceed ~~\$10,000~~ \$20,000, the board shall cause accurate detailed plans and specifications therefor, together with a detailed estimate, of the cost of same, to be made and filed in the office of the secretary of such board. Before letting such contract, the board shall advertise for bids to do such work in accordance with such plans and specifications for at least one week in a newspaper of general circulation in such district. Except as provided by subsection (b), the purchase of materials, contracts for purchase or sale, lease contracts and other contractual services which are estimated to exceed ~~\$10,000~~ \$20,000, shall be made upon competitive bids.

All bids shall be made in writing and signed by the bidder, ~~and presented.~~ *All bids shall be submitted or delivered* by the bidder, or the bidder's agent or attorney, to the board, ~~at a meeting thereof, and~~ *or to a designated representative of the board as specified in the bid notice. The proceedings to open and consider bids shall be conducted at a time and place specified in the bid notice. Such proceedings shall be open to the public.* All bids shall be ~~considered and~~ accepted or rejected ~~immediately after their submission by the board at a meeting thereof within 30 days of the opening of the bids.~~ The board may reject any bids and shall not accept a bid in excess of the estimated cost of the work, and a contract let at a price in excess of the estimated cost of the work shall be void.

(b) The district may enter into agreements with any public agency for the purchase of materials, contracts for purchase or sale, lease contracts and other contractual services through such governmental units using the bidding procedure of such public agency.

(c) When used in this section, “public agency” means any state or a political or taxing subdivision thereof.”;

By renumbering sections accordingly;

Also on page 5, in line 31, following “K.S.A.” where it appears for the first time by inserting “19-228, 19-2881 and”;

In the title, by striking all in lines 10, 11 and 12 and inserting:

“AN ACT concerning certain municipalities; relating to the powers and duties thereof; amending K.S.A. 19-228, 19-2881 and 80-104 and K.S.A. 2000 Supp. 19-101a and repealing the existing sections.”;

And your committee on conference recommends the adoption of this report.

BARBARA P. ALLEN  
KAY O'CONNOR  
MARK GILSTRAP  
*Conferees on part of Senate*

GERRY RAY  
LARRY CAMPBELL  
RUBY GILBERT  
*Conferees on part of House*

On motion of Rep. Ray, the conference committee report on **HB 2068** was adopted.

On roll call, the vote was: Yeas 95; Nays 30; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Ballard, Ballou, Barnes, Beggs, Benlon, Bethell, Boston, Burroughs, Campbell, Compton, Cox, Crow, Dahl, DiVita, Dreher, Edmonds, Faber, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Gordon, Grant, Hayzlett, Henderson, Henry, Hermes, Holmes, Horst, Huff, Humerickhouse, Hutchins, Johnson, Kline, Krehbiel, Kuether, Lane, Larkin, Levinson, Light, Lightner, Lloyd, Loganbill, M. Long, Mason, Mayans, Mays, McClure, McCreary, McKinney, McLeland, Minor, Jim Morrison, Judy Morrison, Newton, Nichols, Novascone, O'Brien, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, E. Peterson, J. Peterson, Phelps, L. Powell, Ray, Ruff, Sharp, Showalter, Shriver, Shultz, Sloan, Spangler, Stone, Storm, Tafanelli, Tanner, Thimesch, Toelkes, Tomlinson, Toplikar, Weber, Wells, Welshimer, Wilk, D. Williams, J. Williams, Wilson, Winn.

Nays: Alldritt, Aurand, Cook, DeCastro, Dillmore, Feuerborn, Garner, Howell, Huebert, Huy, Kauffman, Kirk, Klein, Landwehr, P. Long, Loyd, Merrick, Miller, Myers, Neufeld, Pauls, Pottorff, T. Powell, Powers, Pyle, Reardon, Rehorn, Schwartz, Swenson, Vickrey.

Present but not voting: None.

Absent or not voting: None.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2406**, submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, after line 33 by inserting:

"Sec. 2. K.S.A. 68-404 is hereby amended to read as follows: 68-404. The secretary of transportation shall have the following powers, duties, authority and jurisdiction:

(a) General supervision over the administration of all road and bridge laws and over the construction and maintenance of all roads, bridges and culverts throughout the state, except that such supervision by the secretary shall not extend to township roads, except that any township road for which federal aid is granted shall be under the supervision of the secretary;

(b) to compile information concerning the road, bridge and culvert materials of the state and furnish such information to boards of county commissioners, township highway commissioners, county engineers and other highway officials; the secretary shall answer all inquiries of such officials concerning highway construction and maintenance and shall advise them of the reasonable prices for materials and construction work;

(c) devise and adopt standard plans and specifications for road, bridge and culvert construction and maintenance suited to the needs of the different counties of the state and furnish them to county engineers;

(d) make a biennial report for the use of the legislature and may issue bulletins and pamphlets, which shall be printed as public documents;

(e) carry on such other highway educational work, and may cooperate with the state and national organizations for the support and advancement of highway construction;

(f) may make investigations of the highway conditions in any county, assist boards of county commissioners and the attorney general in the prosecution or defense of patent suits relative to road and bridge construction when so requested, and the secretary shall report any violations of the law to the attorney general who shall take such steps as are necessary regarding such violations;

(g) to enter upon any property to make surveys, examinations, investigations, and tests, and to acquire other necessary and relevant data in contemplation of (1) establishing the location of a road, street or highway; (2) acquiring land, property, and road building materials; or (3) performing other operations incident to highway construction, reconstruction or maintenance. Prior to entering upon any such property the secretary shall first request permission of the landowner to do so. Where consent to do the things authorized in this subsection (g) is not given to the secretary by the owner or occupant of the land involved, the secretary may proceed as authorized after giving 10 days written notice to landowner or occupant of the secretary's intention to conduct such surveys, examinations, investigations and tests. Entry upon any property, pursuant to this subsection, shall not be considered to be a legal trespass and no damages shall be recoverable on that account alone. In case of

any actual or demonstrable damages to the premises, the secretary shall pay the owner of the premises the amount of the damages. Upon failure of the landowner and such secretary to agree upon the amount of damages the landowner may file an action against the secretary in the district court of the county in which the land is situated to recover such damages;

(h) to make tests, do research, to inspect and test all materials, supplies, equipment, and machinery used for state highway purposes or highway projects involving federal funds, and to develop methods and procedures for this purpose. Tests of such materials, supplies or equipment may be made available, upon payment of actual costs therefor, to any federal agency or political subdivision of the state;

(i) to maintain and develop testing laboratories to carry out the requirements of this act;

(j) to perform such other acts and duties and exercise such authority as will give the provisions of this act and other laws relating to the secretary or department of transportation full force and effect;

(k) to adopt rules and regulations to carry out the provisions of this act and any other laws relating to the secretary or department of transportation; ~~and~~

(l) to adopt rules and regulations relating to debarment and suspension of contractors for cause; ~~and~~

(m) *to prepare a report and make a presentation to the legislature as required by section 3 and amendments thereto.*

Sec. 3. K.S.A. 75-3516 is hereby amended to read as follows: 75-3516. (a) Each state agency shall have the legal custody of all deeds to real estate held or acquired by such state agency for and in the name of the state of Kansas, together with the abstracts of title thereto and the title insurance policies therefor, and of all other original instruments relating to real estate transactions of such state agency. ~~It shall be the duty of~~ Each state agency ~~to~~ shall keep, preserve and file all such deeds, abstracts of title, title insurance policies and other instruments, and all such instruments in the custody of the secretary of state on the effective date of this act shall be and are hereby transferred to the custody of the respective state agencies.

(b) ~~It shall be the duty of~~ Each state agency ~~to~~ shall record or cause to be recorded all deeds to real estate acquired by ~~it~~ the state agency with the register of deeds of the county where the real estate is located and any other instruments relating to ~~its~~ the agency's real estate transactions provided by law to be recorded.

(c) The director of accounts and reports shall maintain inventory records of the real property owned by the state, which records shall reflect all real property held and every real estate transaction engaged in by each state agency except the secretary of transportation. Such inventory records shall include, but not be limited to, the acreage, the location by city and county, a brief legal description and the use and purpose of each lot, tract or parcel of land held by a state agency.

(d) (1) *The secretary of transportation shall deliver to the secretary of the senate and the chief clerk of the house of representatives on or before January 30, 2002, and January 30th of each year thereafter, a written report concerning the department of transportation's system of inventory of records pertaining to all real property owned by the department of transportation and all real estate transactions engaged in by the department of transportation. Each report shall describe the current status of the inventory system and the steps taken during the past year to improve such inventory system and comply with the requirements of this section. The secretary of transportation shall notify each member of the legislature of the availability of copies of the report.*

(2) *On or before January 30, 2002, and January 30th of each year thereafter, the secretary of transportation shall make a presentation to the joint committee on state building construction on the report described in paragraph (1).*

Sec. 4. K.S.A. 2000 Supp. 75-6609 is hereby amended to read as follows: 75-6609. (a) When used in this section, "surplus real estate" means real estate which is no longer needed by the state agency which owns such real estate *as determined in accordance with this section.*

(b) (1) *The secretary of administration shall develop criteria for the identification of surplus real estate, including but not limited to, a review of any legal restrictions associated*

with the real estate and the reasons for the state agency to keep the real estate. In accordance with such criteria, the secretary shall assist state agencies in the identification of surplus real estate. *The secretary of administration shall periodically review the status of all real estate of state agencies subject to this section to determine if any of the real estate owned by state agencies is potentially surplus real estate. If any real estate owned by a state agency is determined by the secretary of administration, in consultation with the head of the state agency, to be surplus real estate in accordance with the criteria developed under subsection (a), then the secretary of administration shall recommend to the governor that such real estate be sold under the procedures prescribed by this section.*

(2) The secretary of administration shall develop guidelines for the sale of surplus real estate. In accordance with such guidelines and upon the ~~written consent of approval of the governor, after consultation with the head of the state agency which owns such surplus real estate, after consultation with the joint committee on state building construction and after approval by the state finance council under subsection (c),~~ the secretary may offer such property for sale by one of the following means: ~~(1)~~ (A) Public auction; ~~(2)~~ (B) by listing the surplus property with a licensed real estate broker or salesperson; or ~~(3)~~ (C) by sealed bid. Subject to the approval of the state finance council as required by subsection (c), the secretary of administration may sell surplus real estate and any improvements thereon on behalf of the state agency which owns such property.

(c) Prior to the sale of any surplus real estate under subsection (b), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) Prior to offering any real estate for sale, such property shall be appraised pursuant to K.S.A. 75-3043a, and amendments thereto, *unless the appraisal is waived as provided in this subsection. The secretary of administration may waive the requirement for appraisal for any parcel of surplus real estate that is to be sold at public auction under this section if the secretary of administration determines that it is in the best interests of the state to waive the requirement for appraisal for such parcel of surplus real estate.* The costs of any such appraisal may be paid from the proceeds of the sale.

(e) Conveyance of title in surplus real estate offered for sale by the secretary of administration shall be executed on behalf of the state agency by the secretary of administration. The deed for the conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the secretary of administration in consultation with the head of the state agency which owns the surplus real estate.

(f)(1) Any proceeds from the sale of surplus real estate and any improvements thereon, after deduction of the expenses of such sale and ~~the any cost of the appraisal of the surplus real estate, shall be deposited in the state treasury and credited to the state general fund as prescribed by this subsection, unless otherwise authorized by law. On and after the effective date of this act, a portion of the proceeds from each such sale deposited in the state treasury shall be determined and designated by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto and acting on this matter in conjunction with approval of such sale under subsection (c), to be credited to the surplus real estate fund or another appropriate special revenue fund of the state agency which owned the surplus real estate, as is prescribed by law or as may be determined by the state agency, except that such portion shall not exceed the amount equal to 50% of such proceeds unless otherwise required by state or federal law or by the limitations or restrictions of the state's title to the real estate being sold. In the case of proceeds from the sale of surplus real estate at a state mental health institution or a state mental retardation institution, such portion of the proceeds shall be credited to the client benefit fund of such institution or to another special revenue fund of such institution for (A) rehabilitation and repair or other capital improvements for such institution, or (B) one-time expenditures for community mental health organizations if the real estate sold was at a state mental health institution or for community developmental disabilities organizations if the real estate sold was at a state mental retardation institution, and, in any such case, shall be expended in accordance with~~

the provisions of appropriation acts. After crediting the amount designated by the state finance council, the remainder of the proceeds from each such sale deposited in the state treasury shall be credited to the state general fund.

(2) The amount of expenses and the cost of appraisal for each sale of surplus real estate pursuant to this section shall be transferred and credited to the property contingency fund created under K.S.A. 75-3652, and amendments thereto, and may be expended for any operations of the department of administration.

(3) Any state agency owning real estate may apply to the director of accounts and reports to establish a surplus real estate special revenue fund in the state treasury. Subject to the provisions of appropriation acts, moneys in a surplus real estate special revenue fund may be expended for the operating expenditures of the state agency.

(g) Any sale of property by the secretary of transportation pursuant to K.S.A. 68-413, and amendments thereto, shall not be subject to the provisions of this section.

New Sec. 5. If a mental health institution or mental retardation institution is closed and all or part of the real estate of such institution is sold, the proceeds from the sale of such real estate, after deduction of the costs of the sale and any costs of appraisal of such surplus real estate, shall be deposited in the state treasury to the credit of a new or existing special revenue fund. All expenditures of such moneys in any such special revenue fund shall be in accordance with the provisions of appropriation acts and shall be used (a) for capital improvement or operating expenditures for another state institution providing either mental health services or mental retardation services, whichever were provided by the closed institution or (b) to provide either mental health services or mental retardation services, whichever was provided by the closed institution, through community organizations in communities.”;

By renumbering the remaining sections accordingly;

On page 1, in line 34, by striking “2000 Supp. 58-2005 is” and inserting “68-404 and 75-3516 and K.S.A. 2000 Supp. 58-2005 and 75-6609 are”;

In the title, on page 1, in line 10 by striking “plats; relating to the review thereof” and inserting “real estate; relating to surplus real estate owned by state agencies; relating to the review of plats”; in line 11, by striking “2000 Supp. 58-2005” and inserting “68-404 and 75-3516 and K.S.A. 2000 Supp. 58-2005 and 75-6609”; also in line 11, by striking “section” and inserting “sections”;

And your committee on conference recommends the adoption of this report.

BARBARA P. ALLEN  
DEREK SCHMIDT  
MARK GILSTRAP  
*Conferees on part of Senate*

GERRY RAY  
LARRY CAMPBELL  
RUBY GILBERT  
*Conferees on part of House*

On motion of Rep. Ray to adopt the conference committee report on **HB 2406**, Rep. Kline offered a substitute motion to not adopt the conference committee report and asked that a new conference committee be appointed. The substitute motion prevailed.

Speaker pro tem Aurand thereupon appointed Reps. Ray, Campbell and Gilbert as second conferees on the part of the House.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 161**, submits the following report:

The House recedes from all of its amendments to the bill;

And your committee on conference agrees to further amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, in line 14, before “Section” by inserting “New”; in line 21, after the period, by inserting “The policy shall provide for maintenance of a public record of all expenditures for payment of charges incurred by the school district through use of credit cards.”;



On page 2, in line 1, before "Sec.", by inserting "New"; following line 11, by inserting two new sections as follows:

"Sec. 3. K.S.A. 72-8201 is hereby amended to read as follows: 72-8201. ~~At the time the state superintendent issues his order organizing any unified district, he shall, as a part of such order, include a provision disorganizing all of the school districts the main school building of which is in such unified district. The disorganizing parts of such order shall take effect on July 1, 1966, except as otherwise specifically provided in this act. The disorganizing parts of any organization order for a city or preunified district established prior to July 1, 1965, shall be July 1, 1965. Every organization order issued by the state superintendent pursuant to this act shall include a number assigned by him to each unified district organized by such order. Every organization order shall designate the home county of the unified district being organized. Each unified school district shall be designated by the name and style of "unified school district No. \_\_\_\_\_ (the number designated by the state superintendent board of education), \_\_\_\_\_ county (naming the home county of the unified school district), state of Kansas," and by such name may sue and be sued, execute contracts and hold such real and personal property as it may require acquire. Every unified school district shall possess the usual powers of a corporation for public purposes. The board of education of every unified school district may delegate to the superintendent of schools the power to execute contracts on behalf of the district for the purchase of goods and services if the value of such goods or services is less than \$10,000.~~

Sec. 4. K.S.A. 72-8201 is hereby repealed.";

By renumbering section 3 as section 5;

In the title, in line 11, after "cards", by inserting "and to delegate the power to execute certain contracts to the superintendent of schools; amending K.S.A. 72-8201 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

DEENA HORST  
JOHN FABER  
DOUG GATEWOOD  
*Conferees on part of House*

DWAYNE UMBARGER  
JOHN VRATIL  
CHRISTINE DOWNEY  
*Conferees on part of Senate*

On motion of Rep. Horst to adopt the conference committee report on **SB 161**, Rep. Loyd offered a substitute motion to not adopt the conference committee report and asked that a new conference committee be appointed. The substitute motion did not prevail.

The question then reverted back to the original motion of Rep. Horst and the conference committee report was adopted.

On roll call, the vote was: Yeas 63; Nays 62; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aday, Ballard, Beggs, Benlon, Boston, Burroughs, Campbell, Compton, Cook, Cox, Crow, Dillmore, DiVita, Faber, Feuerborn, Findley, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Glasscock, Grant, Hayzlett, Henderson, Henry, Horst, Huff, Kline, Krehbiel, Lane, Larkin, Levinson, Lloyd, Loganbill, M. Long, Mayans, Minor, Jim Morrison, Newton, O'Brien, E. Peterson, Phelps, Ray, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Sloan, Spangler, Stone, Storm, Swenson, Thimesch, Toelkes, Wells, Welshimer, D. Williams, J. Williams, Wilson, Winn.

Nays: Alldritt, Aurand, Ballou, Barnes, Bethell, Dahl, DeCastro, Dreher, Edmonds, Garner, Gordon, Hermes, Holmes, Howell, Huebert, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kirk, Klein, Kuether, Landwehr, Light, Lightner, P. Long, Loyd, Mason, Mays, McClure, McCreary, McKinney, McLeland, Merrick, Miller, Judy Morrison, Myers, Neufeld, Nichols, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, Pauls, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Schwartz, Shultz, Tafanelli, Tanner, Tomlinson, Toplikar, Vickrey, Weber, Wilk.

Present but not voting: None.  
Absent or not voting: None.

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

On motion of Rep. Hayzlett, the House nonconcurrred in Senate amendments to **S. Sub. for HB 2143** and asked for a conference.

Speaker pro tem Aurand thereupon appointed Reps. Hayzlett, Vickrey and Klein as conferees on the part of the House.

On motion of Rep. O'Neal, the House nonconcurrred in Senate amendments to **HB 2508** and asked for a conference.

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

On motion of Rep. Edmonds, the House concurred in Senate amendments to **HB 2029**, An act relating to sales taxation; exempting certain sales to certain disease prevention support associations; amending K.S.A. 2000 Supp. 79-3606 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

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, 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: Nichols.

On motion of Rep. Wilk, the House nonconcurrred in Senate amendments to **HB 2283** and asked for a conference.

Speaker pro tem Aurand thereupon appointed Reps. Wilk, Neufeld and Henry as conferees on the part of the House.

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

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

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

Recommended that **HCR 5032** be adopted.

On motion of Rep. Reardon to amend **HR 6012**, Rep. Palmer requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Reardon challenged the ruling, the question being "Shall the Rules Chair be sustained?" Roll call was demanded.

On roll call, the vote was: Yeas 74; Nays 46; Present but not voting: 0; Absent or not voting: 5.

Yeas: Aday, Aurand, Ballou, Beggs, Benlon, Bethell, Campbell, Compton, Cook, Cox, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Hermes, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Hutchins, Huy, Johnson, Kauffman, Kline, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, P. Long, Loyd, Mason, Mays, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, New-

ton, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Schwartz, Shultz, Sloan, Stone, Tafanelli, Tanner, Tomlinson, Toplikar, Vickrey, Weber, D. Williams.

Nays: Alldritt, Ballard, Barnes, Burroughs, Crow, Dillmore, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Grant, Henderson, Henry, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, McClure, McKinney, Minor, Nichols, O'Brien, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Spangler, Storm, Swenson, Thimesch, Toelkes, Wells, Welshimer, J. Williams, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Boston, Mayans, Neufeld, Pauls, Wilk.

The Rules Chair was sustained.

Also, roll call was demanded on motion of Rep. McKinney to amend **HR 6012** on page 1, in line 38, by striking all after "earnings" and inserting "; and"; by striking all in lines 39 through 42 and inserting the following:

"WHEREAS, Many defense experts now doubt the ability of the federal government to rapidly deploy effective military forces on multiple fronts; and

WHEREAS, Increasing numbers of retirees in relation to the number of active workers threatens the long term stability of social security and medicare upon which many Kansans depend for survival and quality of life in their senior years; and

WHEREAS, The United States still retains over \$3 trillion in debt which constitutes a mortgage against our grandchildren; and

WHEREAS, A large share of the national debt is held in foreign countries, which, if sold in a time of crisis, could destabilize the United States bond market and create instability in the United States economy; and

WHEREAS, A large share of state general fund expenditures for education are for special education mandates which have never been funded by the federal government: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we call on Congress to provide for a prepared and well equipped military, insure the stability of social security and medicare, pay down the federal government debt, fully fund the special education services mandated by the federal government, and then enact fair and substantial tax reductions; and";

On roll call, the vote was: Yeas 56; Nays 64; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alldritt, Ballard, Barnes, Benlon, Burroughs, Campbell, Cox, Crow, Dillmore, Feuerborn, Findley, Flaharty, Flora, Garner, Gatewood, Gilbert, Grant, Henderson, Henry, Hermes, Huebert, Kirk, Klein, Kuether, Larkin, Levinson, Loganbill, M. Long, Mays, McClure, McKinney, Minor, Nichols, O'Brien, Pauls, E. Peterson, Phelps, Reardon, Rehorn, Ruff, Sharp, Showalter, Shriver, Shultz, Stone, Storm, Swenson, Thimesch, Toelkes, Toplikar, Wells, Welshimer, Wilk, J. Williams, Wilson, Winn.

Nays: Aday, Aurand, Ballou, Beggs, Bethell, Compton, Cook, Dahl, DeCastro, DiVita, Dreher, Edmonds, Faber, Freeborn, Glasscock, Gordon, Hayzlett, Holmes, Horst, Huff, Humerickhouse, Huy, Johnson, Kauffman, Kline, Krehbiel, Landwehr, Lane, Light, Lightner, Lloyd, P. Long, Mason, Mayans, McCreary, McLeland, Merrick, Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Neal, Osborne, Ostmeyer, Palmer, Patterson, J. Peterson, Pottorff, L. Powell, T. Powell, Powers, Pyle, Ray, Schwartz, Sloan, Tafanelli, Tanner, Tomlinson, Vickrey, Weber, D. Williams.

Present but not voting: None.

Absent or not voting: Boston, Howell, Hutchins, Loyd, Spangler.

The motion of Rep. McKinney did not prevail.

Also, on motion of Rep. Larkin to amend **HR 6012**, Rep. Benlon requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane and the resolution be adopted.

Committee report to **Sub. SB 171** be adopted; also, on motion of Rep. T. Powell to amend, Rep. Phelps requested a ruling on the amendment being germane to the bill. The request was subsequently withdrawn. The question reverted back to the motion of Rep. T. Powell and the bill be amended on page 2, following line 19, by inserting:

“Sec. 3. K.S.A. 74-2113 is hereby amended to read as follows: 74-2113. (a) There is hereby created a Kansas highway patrol. The patrol shall consist of: (1) A superintendent, who shall have the rank of colonel and who shall have special training and qualifications for such position; (2) an assistant superintendent, who shall have the rank of lieutenant colonel; and (3) officers and troopers who are appointed in accordance with appropriation acts and as provided in this section. The superintendent and assistant superintendent shall be within the unclassified service under the Kansas civil service act. The assistant superintendent serving on the effective date of this act shall be appointed to such position by the superintendent. Thereafter, the assistant superintendent shall be appointed by the superintendent from among the members of the patrol, and shall serve at the pleasure of the superintendent. If a person appointed as superintendent or assistant superintendent is a member of the patrol when appointed, such person in each case, upon termination of the term as superintendent or assistant superintendent, respectively, shall be returned to a rank not lower than the rank such person held when appointed as superintendent or assistant superintendent. If such rank is filled at that time, a temporary additional position shall be created in such rank until a vacancy occurs in such rank. All other officers, troopers and employees shall be within the classified service under the Kansas civil service act.

(b) The superintendent of the patrol shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, and shall receive an annual salary fixed by the governor. The assistant superintendent shall receive an annual salary fixed by the superintendent and approved by the governor.

(c) All other members of the patrol shall be appointed by the superintendent in accordance with appropriation acts and with the Kansas civil service act. No person shall be appointed as an officer of the patrol, other than superintendent, unless the person has had at least five years of service in the patrol as an officer or trooper. No person shall be appointed as a trooper unless the person meets the following requirements:

- (1) Is a citizen of the United States;
- (2) is at least 21 years of age at the time of appointment;
- (3) has not been convicted by any state or the federal government of a crime which is a felony or its equivalent under the uniform code of military justice;
- (4) has been fingerprinted and a search of local, state and national fingerprint files has been made to determine whether the applicant has a criminal record;
- (5) is the holder of a high school diploma or furnishes evidence of successful completion of an examination indicating an equivalent achievement; and
- (6) is free of any physical or mental condition which might adversely affect the applicant's performance of duties as a trooper and whose physical health has been certified by an examining physician appointed by the superintendent.

(d) No member of the patrol shall hold any other elective or appointive commission or office, except in the Kansas national guard or in the organized reserve of the United States army, air force or navy. No member of the patrol shall accept any employment or compensation from any licensee of the director of alcoholic beverage control of the department of revenue or from any licensee of the Kansas racing commission or from any officer, director, member or employee of any such licensee, nor shall any member of the patrol accept any employment or compensation for services which require the use of any state-owned equipment provided by the Kansas highway patrol or the wearing of the patrol uniform. No member of the patrol shall accept any reward or gift except with the written permission of the superintendent.

~~(e) No member of the patrol, including the superintendent, shall in any way be active or participate in any political contest in any primary, general or special election or participate in politics, except to cast such member's ballot. For any violation of this provision, the offender shall be summarily removed by the superintendent from the patrol.”;~~

By renumbering sections accordingly

Also on page 2, in line 20, by striking “is” and inserting “and 74-2113 are”;

In the title, by striking all in lines 10 and 11 and inserting:

“AN ACT concerning certain state officers and employees; relating to restrictions on certain political activity; relating to travel on state aircraft; amending K.S.A. 74-2105 and 74-2113 and repealing the existing sections.”; and **Sub. SB 171** be passed as amended.

**HB 2586; HR 6019; SB 118** be passed over and retain a place on the calendar.

Committee report recommending a substitute bill to **H. Sub. for SB 112** be adopted; also, on motion of Rep. Sloan be amended on page 1, by striking all in lines 19 through 43; By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 42; in line 43, by striking "Sec. 5." and inserting "Section 1.";

By renumbering sections 6 through 9 as sections 2 through 5;

On page 9, in line 4, by striking "K.S.A. 66-1,184 and";

In the title, in line 9, by striking all after "energy"; by striking all in lines 10 and 11; in line 12, by striking all before the semicolon and inserting "policy"; in line 15, by striking "K.S.A. 66-1,184 and"; in line 16, by striking "sections" and inserting "section"; and **H. Sub. for SB 112** be passed as amended.

#### REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **SB 52** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL No. 52," as follows:

"HOUSE Substitute for SENATE BILL No. 52

By Committee on Appropriations

"AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; employer contributions; amending K.S.A. 2000 Supp. 74-4927 and repealing the existing section."; and the substitute bill be passed.

**(H. Sub. for SB 52** was thereupon introduced and read by title.)

The Committee on **Appropriations** recommends **SB 100** be amended on page 2, following line 27, by inserting the following:

"(e) A premises where prepackaged individual meals are distributed to persons eligible under the federal older Americans act shall not pay any fee prescribed under subsection (b).

New Sec. 2. (a) As used in sections 2 through 4, and amendments thereto:

(1) "Retail food store" means any establishment or section of an establishment where food and food products are offered to the consumer and intended for off-premises consumption. The term includes delicatessens that offer prepared food in bulk quantities only. The term does not include roadside markets that offer only fresh fruits and vegetables for sale, food service establishments or food and beverage vending machines.

(2) "Food processing plant" means a commercial operation that manufactures, packages, labels or stores food for human consumption and does not provide food directly to the consumer.

(3) "Secretary" means the secretary of health and environment.

(b) In order to reimburse the state of Kansas for inspections by the secretary of health and environment of retail food stores and food processing plants, the secretary of health and environment shall adopt rules and regulations establishing a graduated inspection fee schedule to cover all of the cost of inspection of retail food stores and food processing plants which shall not exceed \$200 per calendar year for each retail food store and food processing plant location. Whenever the secretary determines that the total amount of revenue derived from the fees collected pursuant to this section are insufficient to carry out the purposes for which the fees are collected, the secretary may amend such rules and regulations to increase the amount of the fee or fees, except that the amount of any fee shall not exceed the maximum amount authorized by this subsection. Whenever the amount of fees collected pursuant to this subsection provides revenue in excess of the amount necessary to carry out the purposes for which such fees are collected, it shall be the duty of the secretary to decrease the amount of the fees prescribed for retail food stores or food processing plants by amending the rules and regulations which fix the fees, as the case may be.

(c) All moneys received as fees under this section shall be remitted to the state treasurer at least monthly. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the food inspection fee fund.

(d) The secretary of health and environment shall adopt rules and regulations necessary to carry out the provisions of this section.

New Sec. 3. (a) It shall be unlawful for any person to engage in the business of conducting a retail food store or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary. For the purpose of this section, the sale of food in the same location less than seven days in any calendar year shall be construed as the occasional sale of food. Nothing in this act shall prevent the secretary from inspecting any retail food store or food processing plant when a complaint against such retail food store or food processing plant is transmitted to the secretary or any authorized agent thereof.

(b) Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by an application fee and by a license fee. Application fees may be adjusted in accordance with the type of retail food store or food processing plant or based on other criteria as determined by the secretary. Such license fee shall be fixed in an amount which, together with the application fee, is sufficient to defray the cost of administering the retail food store and food processing plant inspection and licensure activities of the secretary. Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the retail food store or food processing plant designated in the application, to determine that it complies with rules and regulations adopted pursuant to subsection (d) of section 3, and amendments thereto. If the retail food store or food processing plant is found to be in compliance, the secretary shall issue the license. If the application for license is denied, the secretary shall give written notice thereof to the applicant, stating also that the applicant is entitled to a hearing thereon if a written request therefor is filed with the secretary within 20 days of the date such notice is sent. Such hearing shall be held in accordance with the provisions of the Kansas administrative procedure act.

(c) Every license issued hereunder shall be displayed conspicuously in the retail food store or food processing plant for which it is issued, and no such license shall be transferable to any other person or location. Whenever any such license is lost, destroyed or mutilated, a duplicate license shall be issued to any otherwise qualified licensee upon application therefor and the payment of a fee in the amount of \$3.;

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 9 through 11 and inserting the following:

“AN ACT concerning inspection of certain food service premises; relating to food processing plants and retail food stores; authorizing the secretary of health and environment to fix, charge and collect certain fees; amending K.S.A. 36-503 and repealing the existing section.”; and the bill be passed as amended.

The Committee on **Appropriations** recommends **SB 304** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 304,” as follows:

“HOUSE Substitute for SENATE BILL No. 304

By Committee on Appropriations

“AN ACT concerning the secretary of transportation; authorizing the issuance of certain bonds; amending K.S.A. 2000 Supp. 68-2320 and repealing the existing section.”; and the substitute bill be passed.

(H. Sub. for **SB 304** was thereupon introduced and read by title.)

The Committee on **Taxation** recommends **HB 2569** be amended on page 1, in line 33, by striking all after “(c)”; in line 34, by striking all before the period and inserting “The total amount of all moneys appropriated for the state board of regents for the fiscal year next following the taxable year for which any credit is allowed shall be reduced by the total amount of such credit allowed”; and the bill be passed as amended.

The Committee on **Taxation** recommends **SB 176**, as amended by Senate Committee of the Whole, be amended on page 2, by striking all in line 7; after line 7, by inserting the following “duly licensed by this state as a member of any of the following professions, each paragraph constituting one type:

- (1) A certified public accountant;
- (2) an architect;
- (3) an attorney-at-law;
- (4) a chiropractor;

- (5) a dentist;
- (6) an engineer;
- (7) an optometrist;
- (8) an osteopathic physician or surgeon;
- (9) a physician, surgeon or doctor of medicine;
- (10) a veterinarian;
- (11) a podiatrist;
- (12) a pharmacist;
- (13) a land surveyor;
- (14) a licensed psychologist;
- (15) a specialist in clinical social work;
- (16) a registered physical therapist;
- (17) a landscape architect;
- (18) a registered professional nurse;
- (19) a real estate broker or salesperson;
- (20) a clinical professional counselor;
- (21) a geologist;
- (22) a clinical psychotherapist; and
- (23) a clinical marriage and family therapist.”;

Also, on page 2, in line 8, by striking “court,”; and the bill be passed as amended.

The Committee on **Taxation** recommends **SB 332** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL NO. 332,” as follows:

“HOUSE Substitute for SENATE BILL No. 332

By Committee on Taxation

“AN ACT concerning water; exempting certain gross receipts and certain sales from sales tax; prohibiting certain restrictions on installation of water meters; amending K.S.A. 2000 Supp. 79-3606 and K.S.A. 2000 Supp. 79-3603, as amended by section 1 of 2001 Senate Bill No. 1, and repealing the existing sections.”; and the substitute bill be passed.

(H. Sub. for **SB 332** was thereupon introduced and read by title.)

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 2594**, An act concerning social and rehabilitation services; relating to the sale of certain real estate; disposition of proceeds; amending K.S.A. 2000 Supp. 75-3365, as amended by section 383 of 2001 Senate Bill No. 15, and repealing the existing section, by Committee on Appropriations.

**HB 2595**, An act amending the Kansas mortgage business act; amending K.S.A. 2000 Supp. 9-2201, as amended by section 2 of 2001 House Bill No. 2481 and repealing the existing section, by Committee on Appropriations.

**HB 2596**, An act concerning the uniform fine schedule for traffic infractions; increasing the amount of fines; amending K.S.A. 2000 Supp. 8-2118 and 74-7336 and repealing the existing sections, by Committee on Appropriations.

**HB 2597**, An act concerning state moneys; providing for the reconciliation of amendments to certain sections of the Kansas Statutes Annotated; amending K.S.A. 75-4221, as amended by section 1 of 2001 House Bill No. 2169, 79-32,105, as amended by section 4 of 2001 Senate Bill No. 44 and 79-41a03, as amended by section 1 of 2001 Senate Bill No. 42 and K.S.A. 2000 Supp. 9-1111b, as amended by section 41 of 2001 Senate Bill No. 15, 9-1804, as amended by section 14 of 2001 House Bill No. 2482, 65-3424b, as amended by section 245 of 2001 Senate Bill No. 15, 65-3424d, as amended by section 246 of 2001 Senate Bill No. 15, 65-3424k, as amended by section 6 of 2001 House Bill No. 2131, 66-1,139a, as amended by section 273 of 2001 Senate Bill No. 15, 79-3425, as amended by section 454 of 2001 Senate Bill No. 15, 79-3620, 79-3620, as amended by section 10 of this act, 79-3710, 79-3710, as amended by section 12 of this act and repealing the existing sections; also repealing K.S.A. 17-7515, as amended by section 66 of 2001 Senate Bill No. 15, 65-770, as

amended by section 225 of 2001 Senate Bill No. 15, 72-6505, as amended by section 292 of 2001 Senate Bill No. 15, 79-32,105, as amended by section 448 of 2001 Senate Bill No. 15 and 79-41a03, as amended by section 463 of 2001 Senate Bill No. 15 and K.S.A. 2000 Supp. 2-1011, as amended by section 9 of 2001 Senate Bill No. 15, 8-1,112, as amended by section 30 of 2001 Senate Bill No. 15, 9-1111b, as amended by section 8 of 2001 House Bill No. 2482, 9-1804, as amended by section 45 of 2001 Senate Bill No. 15, 65-708a, as amended by section 223 of 2001 Senate Bill No. 15, 65-750, as amended by section 224 of 2001 Senate Bill No. 15, 65-3424b, as amended by section 3 of 2001 House Bill No. 2131, 65-3424d, as amended by section 4 of 2001 House Bill No. 2131, 65-3424k, as amended by section 247 of 2001 Senate Bill No. 15, 66-1,139, as amended by section 272 of 2001 Senate Bill No. 15, 66-1,139a, as amended by section 15 of 2001 House Bill No. 2291, 66-1a01, as amended by section 275 of 2001 Senate Bill No. 15, 79-3425, as amended by section 1 of 2001 House Bill No. 2011, 79-3620, as amended by section 16 of 2001 Substitute for House Bill No. 2005, 79-3620, as amended by section 460 of 2001 Senate Bill No. 15, 79-3710, as amended by section 18 of 2001 Substitute for House Bill No. 2005, and 79-3710, as amended by section 461 of 2001 Senate Bill No. 15, by Committee on Appropriations.

**HB 2598.** An act concerning reduction of salaries of certain state officers and employees; relating to computation of retirement benefits for such officers and employees; amending K.S.A. 74-49,115 and repealing the existing section, by Committee on Appropriations.

**HB 2599.** An act concerning wildlife and parks; relating to commercial guide services; concerning reports of disposition of certain prosecutions; amending K.S.A. 32-964 and 32-1054 and K.S.A. 2000 Supp. 21-4619 and repealing the existing sections; also repealing K.S.A. 32-964, as amended by section 2 of 2001 House Bill No. 2098, K.S.A. 32-1054, as amended by section 3 of 2001 House Bill No. 2098, and K.S.A. 2000 Supp. 21-4619, as amended by section 1 of 2001 House Bill No. 2098, by Committee on Appropriations.

**HB 2600.** An act reconciling amendments to certain statutes; amending K.S.A. 38-1502, 38-1503, 38-1583, 45-221, K.S.A. 2000 Supp. 12-192, 60-304, 61-4001, 65-5812, K.S.A. 2000 Supp. 8-128, as amended by section 1 of 2001 Senate Bill No. 73, K.S.A. 2000 Supp. 19-101a, as amended by section 14 of 2001 Substitute for House Bill No. 2005, K.S.A. 25-205, as amended by section 1 of 2001 Senate Bill No. 125, K.S.A. 25-1122, as amended by section 9 of 2001 Senate Bill No. 125, K.S.A. 25-2309, as amended by section 1 of 2001 Senate Bill No. 63, K.S.A. 25-2320, as amended by section 2 of 2001 Senate Bill No. 63, K.S.A. 25-3602, as amended by section 2 of 2001 Senate Bill No. 107, and K.S.A. 32-988, as amended by section 2 of 2001 Senate Bill No. 148; also repealing K.S.A. 38-1502d, 38-1503a, 38-1583a, 45-221e, 45-221f, K.S.A. 2000 Supp. 12-192c, 20-367b, 60-304a, 61-1803, 61-1807, 61-2501, 65-5812a, K.S.A. 2000 Supp. 8-128, as amended by section 1 of 2001 House Bill No. 2144, K.S.A. 2000 Supp. 19-101a, as amended by section 3 of 2001 House Bill No. 2068, K.S.A. 25-205, as amended by section 1 of 2001 Senate Bill No. 127, K.S.A. 25-1122, as amended by section 4 of 2001 Senate Bill No. 127, K.S.A. 25-2309, as amended by section 5 of 2001 Senate Bill No. 127, K.S.A. 25-2320, as amended by section 12 of 2001 Senate Bill No. 127, K.S.A. 25-3602, as amended by section 7 of 2001 Senate Bill No. 127, K.S.A. 32-988, as amended by section 1 of 2001 Senate Bill No. 147, and K.S.A. 32-1001, as amended by section 1 of 2001 Senate Bill No. 86, by Committee on Appropriations.

#### CHANGE OF REFERENCE

Speaker pro tem Aurand announced the withdrawal of **Sub. SB 121** from Committee on Taxation and rereferral to Committee on Business, Commerce and Labor.

On motion of Rep. Weber, the House recessed until the sound of the gavel.

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#### LATE AFTERNOON SESSION

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

#### REPORT ON ENGROSSED BILLS

**S. Sub. for HB 2035; HB 2055** reported correctly engrossed April 9, 2001.



**HB 2114; Sub. HB 2129** reported correctly re-engrossed April 9, 2001.

Also, **S. Sub. for HB 2299; HB 2515** reported correctly engrossed April 10, 2001.

**HB 2131, HB 2189, HB 2289, HB 2343** reported correctly re-engrossed April 10, 2001.

Also, **HB 2029, HB 2068** reported correctly engrossed April 25, 2001.

#### **REPORT ON ENROLLED BILLS**

**Sub. HB 2005; HB 2098, HB 2127** reported correctly enrolled, properly signed and presented to the governor on April 9, 2001.

Also, **HB 2301** reported correctly enrolled, properly signed and presented to the governor on April 11, 2001.

Also, **S. Sub. for HB 2035; HB 2055, HB 2099, HB 2114; Sub. HB 2129; HB 2131, HB 2134, HB 2189, HB 2219, HB 2289; S. Sub. for HB 2299; S. Sub. for HB 2303; HB 2343, HB 2493, HB 2515, HB 2573** reported correctly enrolled, properly signed and presented to the governor on April 13, 2001.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5009** reported correctly enrolled and properly signed on April 11, 2001.

Also, **HCR 5008** reported correctly enrolled and properly signed on April 13, 2001.

On motion of Rep. Weber, the House adjourned until 10:00 a.m., Thursday, April 26, 2001.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

