

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 15, 2002, 9:00 a.m.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2956. An act concerning Kansas educational institutions; requiring the provision of educational benefits for certain students who have been placed in foster care; providing for payment of fees for such students, by Committee on Appropriations.

HB 2957. An act concerning civil actions and civil penalties; relating to false or fraudulent medicaid claims, by Committee on Appropriations.

HB 2958. An act concerning asset seizure and forfeiture; relating to medicaid fraud; amending K.S.A. 2001 Supp. 60-4104 and repealing the existing section, by Committee on Appropriations.

HB 2959. An act amending the open records act; amending K.S.A. 2001 Supp. 45-221 and repealing the existing section, by Committee on Utilities.

HB 2960. An act concerning reimbursement for prescription drugs under certain plans and policies; amending K.S.A. 75-6504 and repealing the existing section, by Committee on Health and Human Services.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions, appearing on the Calendar of February 14 as "To Be Referred," were referred to committees as indicated:

Appropriations: **HB 2873, HB 2885, HB 2897, HB 2917, HB 2919, HB 2922, HB 2925, HB 2927, HB 2940, HB 2944.**

Business, Commerce and Labor: **HB 2868, HB 2872, HB 2883, HB 2887, HB 2888, HB 2895, HB 2913, HB 2933.**

Education: **HB 2849, HB 2863, HB 2864, HB 2865, HB 2866, HB 2891, HB 2906, HB 2909, HB 2928, HB 2939.**

Environment: **HB 2915.**

Ethics and Elections: **HB 2916; HCR 5047.**

Federal and State Affairs: **HB 2876, HB 2898; HCR 5046.**

Financial Institutions: **HB 2870, HB 2877.**

Health and Human Services: **HB 2892, HB 2893, HB 2905, HB 2912.**

Higher Education: **HB 2884, HB 2900, HB 2901, HB 2910, HB 2920, HB 2921, HB 2926.**

Insurance: **HB 2879.**

Judiciary: **HB 2851, HB 2852, HB 2853, HB 2854, HB 2855, HB 2856, HB 2857, HB 2859, HB 2867, HB 2874, HB 2875, HB 2880, HB 2889, HB 2899, HB 2903, HB 2907, HB 2908, HB 2911, HB 2923, HB 2931, HB 2932, HB 2934, HB 2935, HB 2936, HB 2937, HB 2938, HB 2943, HB 2945.**

Local Government: **HB 2850, HB 2894.**

Taxation: **HB 2861, HB 2869, HB 2871, HB 2878, HB 2902, HB 2929, HB 2930, HB 2941; HCR 5045.**

Tourism: **HB 2890, HB 2896.**

Transportation: **HB 2914, HB 2942.**

Utilities: **HB 2858.**

To be Referred: **HB 2860, HB 2862, HB 2881, HB 2882, HB 2886, HB 2904, HB 2918, HB 2924.**

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2947; SB 429.**

Education: **HB 2951, HB 2952, HB 2953, HB 2954, HB 2955; SB 393, Sub. SB 394.**

Federal and State Affairs: **SB 383.**

Financial Institutions: **SB 398.**

Insurance: **HB 2946.**

Judiciary: **SB 95, SB 377, SB 392.**

Taxation: **HB 2948; SB 408, SB 472.**

Transportation: **SB 410.**

To be Referred: **HB 2949, HB 2950.**

MESSAGE FROM THE SENATE

Announcing passage of **Sub. SB 379; SB 388, SB 458, SB 473.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

Sub. SB 379; SB 388, SB 458, SB 473.

REPORTS OF STANDING COMMITTEES

The Committee on **Agriculture** recommends **HB 2660** be amended on page 2, in line 1, by striking all after "were"; in line 2, by striking "arranged for" and inserting "ordered from, invoiced to the retailer by or financed to the retailer"; in line 32, by striking "acquired from any source authorized or arranged for" and inserting "ordered from, invoiced to the retailer by or financed to the retailer";

On page 3, in line 16, by striking "acquired from any source authorized or arranged for" and inserting "ordered from, invoiced to the retailer by or financed to the retailer"; and the bill be passed as amended.

The Committee on **Agriculture** recommends **HB 2818** be amended on page 3, in line 11, by striking "October"; in line 12, by striking "31" and inserting "November 30"; and the bill be passed as amended.

The Committee on **Health and Human Services** recommends **HB 2718** be passed.

The Committee on **Health and Human Services** recommends **HB 2315** be amended on page 1, in line 43, by striking "referred" and inserting: ", pursuant to the referral, supervision, order or direction of a physician, a licensed podiatrist, a licensed dentist or a licensed optometrist,";

On page 2, before line 42, by inserting the following:

"(g) "Physician" means a person licensed to practice medicine and surgery.";

Also on page 2, in line 42, by striking "(g)" and inserting "(h)";

On page 3, in line 5, by striking all after the comma; in line 6, by striking "aminations,"; in line 43, by striking "(a)";

On page 4, by striking all in lines 9 through 15; in line 16, by striking "2000" and inserting "2001";

On page 5, in line 6, by striking "2000" and inserting "2001";

On page 7, in line 7, by striking "individuals";

On page 8, in line 7, by striking "physicians" and inserting "physician"; also in line 7, by striking "registered" and inserting "licensed"; in line 11, before "any" by inserting: "manufacturers of prosthetic devices;

(18)";

Also on page 8, after line 24, by inserting the following:

“(c) Education related therapy services provided by an occupational therapist to school systems or consultation regarding prevention, ergonomics and wellness within the occupational therapy scope of practice shall not require a referral, supervision, order or direction of a physician, a licensed podiatrist, a licensed dentist or a licensed optometrist. However, when in the course of providing such services an occupational therapist reasonably believes that the client may have an underlying injury, illness, disease, disorder or impairment, the occupational therapist shall refer the client to a physician, a licensed podiatrist, a licensed dentist or a licensed optometrist, as appropriate.”;

And by relettering subsections accordingly;

On page 9, in line 14, by striking “2000” and inserting “2001”;

On page 10, in line 27, by striking “2000” and inserting “2001”;

On page 11, in line 29, by striking “2000” and inserting “2001”;

On page 15, in line 2, by striking “2000” and inserting “2001”; in line 38, by striking “2000” and inserting “2001”; in line 41, by striking “January 1, 2002” and inserting “April 1, 2003”;

On page 1, in the title, in line 11, by striking “2000” and inserting “2001”; and the bill be passed as amended.

The Committee on **Transportation** recommends **HB 2792** be passed.

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 2961, An act concerning tax credits; doubling the value thereof; amending K.S.A. 2001 Supp. 74-50,115 and repealing the existing section, by Committee on New Economy.

HB 2962, An act relating to Kansas economic development; concerning Kansas investments in major projects; amending K.S.A. 2001 Supp. 74-50,106 and repealing the existing section, by Committee on New Economy.

HB 2963, An act concerning domestic pets; relating to animal friendly license plates; prescribing certain fees and uses thereof; creating the animal friendly advisory committee and prescribing membership and duties thereof; creating the animal population control fund, by Committee on Agriculture.

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

AFTERNOON SESSION

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2964, An act providing for the regulation and licensing of radiologic technologists; granting powers and duties of the state board of healing arts; establishing a radiologic technology council and providing for the functions thereof; declaring unlawful acts and penalties, by Committee on Health and Human Services.

HB 2965, An act concerning affordable housing; establishing within the department of corrections a pilot project to build homes for low income and elderly citizens, by Committee on Kansas Futures.

HB 2966, An act concerning schools; relating to school finance; relating to school facilities weighting; amending K.S.A. 2001 Supp. 72-6407 and repealing the existing section, by Committee on Kansas Futures.

HB 2967, An act concerning divorce and maintenance; requiring child support for special education students who continue in school until age 21; amending K.S.A. 2001 Supp. 60-1610 and repealing the existing section, by Committee on Judiciary.

HB 2968, An act concerning vital statistics; relating to the department of health and environment; concerning fees for obtaining birth certificates; amending K.S.A. 2001 Supp. 65-2418 and repealing the existing section; also repealing K.S.A. 2001 Supp. 65-2418a, by Committee on Judiciary.

HB 2969, An act concerning crimes, punishment and criminal procedure; relating to postrelease supervision for misdemeanors; amending K.S.A. 2001 Supp. 21-4502 and repealing the existing section, by Committee on Judiciary.

HB 2970, An act concerning criminal procedure; relating to jurisdiction of law enforcement officers; amending K.S.A. 2001 Supp. 22-2401a and repealing the existing section, by Committee on Judiciary.

HB 2971, An act concerning civil procedure for limited actions; relating to service of process; amending K.S.A. 2001 Supp. 61-3003 and 61-3005 and repealing the existing sections, by Committee on Judiciary.

HB 2972, An act concerning school districts; relating to school site councils; amending K.S.A. 2001 Supp. 72-6439 and repealing the existing section, by Committee on Education.

HB 2973, An act concerning schools; requiring boards of education to adopt policies on pupil discipline; providing legal support for certain actions of teachers and school administrators, by Committee on Education.

HB 2974, An act concerning school district finance; affecting the determination of low enrollment weighting; amending K.S.A. 2001 Supp. 72-6412 and repealing the existing section, by Committee on Education.

HB 2975, An act concerning school districts; disallowing the counting of certain pupils for purposes of computations under the school district finance and quality performance act; entering into reciprocal agreements; amending K.S.A. 2001 Supp. 72-1046a, 72-6407 and 72-6757 and repealing the existing sections, by Committee on Education.

HB 2976, An act dissolving existing unified school districts; establishing county school districts; terminating certain administrator contracts; relating to continuing teacher contracts and assigning responsibility therefor; providing for continued payment of bonded indebtedness; amending K.S.A. 72-8202b and repealing the existing section, by Committee on Education.

HB 2977, An act concerning cosmetology; relating to definitions, board membership, reciprocity, training and examinations; amending K.S.A. 2001 Supp. 65-1901, 65-1903, 65-1904b, 65-1905, 65-1912 and 74-2701 and repealing the existing sections, by Committee on Health and Human Services.

HB 2978, An act relating to Kansas economic development; concerning surplus state real estate; establishing redevelopment zones; amending K.S.A. 2001 Supp. 75-6609 and repealing the existing section, by Committee on New Economy.

HB 2979, An act relating to liens; concerning storage fees on vehicles; requiring notice to lienholders, by Committee on Financial Institutions.

HB 2980, An act concerning civil procedure; relating to real parties in interest; amending K.S.A. 60-217 and repealing the existing section, by Committee on Judiciary.

HB 2981, An act concerning driver's licenses; relating to the age of drivers; amending K.S.A. 8-237, 8-239 and 8-296 and repealing the existing sections, by Committee on Judiciary.

HB 2982, An act concerning the affixing of cigarette tax stamps and meter impressions and payment of tax on roll-your-own tobacco, by Committee on Judiciary.

HB 2983, An act relating to the adjutant general; relating to powers and duties; member of cabinet; amending K.S.A. 2001 Supp. 48-204 and repealing the existing section, by Committee on Judiciary.

HB 2984, An act concerning insurance; relating to disasters resulting from war or terrorism; life insurance, proof and presumption of death; health insurance, prior approval requirement waiver; amending K.S.A. 40-420 and 40-447 and repealing the existing sections, by Committee on Judiciary.

HB 2985, An act concerning school finance; relating to special education and related services for exceptional children; amending K.S.A. 72-6413 and K.S.A. 2001 Supp. 72-978 and 72-6407 and repealing the existing sections, by Committee on Education.

HB 2986, An act concerning crimes, criminal procedure and punishment; relating to terrorism and terrorist activities; capital murder; search warrants; wire, oral or electronic communications; limitation of actions; inquisitions; DNA testing; amending K.S.A. 21-3301, 21-3302, 21-3303, 21-3439, 22-2502, 22-2504, 22-2514, 22-2515, 22-2516, 22-2518, 22-2527, 22-2528 and 22-2529 and K.S.A. 2001 Supp. 21-2511, 21-3106, 21-4706 and 22-3101 and repealing the existing sections; also repealing K.S.A. 2001 Supp. 65-4142, by Committee on Judiciary.

HB 2987, An act concerning lotteries; authorizing electronic gaming machines at certain locations; amending K.S.A. 2001 Supp. 19-101a, 74-8702, 74-8710, 74-8711 and 74-8836 and repealing the existing sections, by Committee on Tourism.

HB 2988, An act concerning the transferability of tax credits; amending K.S.A. 2001 Supp. 79-32,153 and 79-32,154 and repealing the existing sections, by Committee on New Economy.

HB 2989, An act concerning the job expansion and investment credit act; amending K.S.A. 2001 Supp. 79-32,154 and repealing the existing section, by Committee on New Economy.

HB 2990, An act concerning the job expansion and investment credit act; relating to qualified business facility employees; amending K.S.A. 2001 Supp. 79-32,154 and repealing the existing section, by Committee on New Economy.

CHANGE OF REFERENCE

Speaker Glasscock announced the withdrawal of **HB 2872** from Committee on Business, Commerce and Labor and referral to Committee on Higher Education.

Also, the withdrawal of **HB 2836** from Committee on Appropriations and referral to Committee on Ethics and Elections.

REPORT ON ENGROSSED BILLS

HB 2607, **HB 2624**, **HB 2679** reported correctly engrossed February 14, 2002.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1390, under Communications from State Officers, Topeka Water Office should be deleted, and Kansas Water Office should be inserted.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Monday, February 18, 2002.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

