

# Journal of the House

## FIFTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 21, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair. The roll was called with 124 members present. Rep. Crow was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father, as we walked through the paintings downstairs, we were reminded of the splendor and magnificence of your geographical creation of the state of Kansas. We recognize and appreciate the beauty of this great state and trust that others will as they look through the magazine in which these paintings are portrayed. But, we also recognize that the true beauty of Kansas is not so much the land as it is the people — hard-working, dedicated, family-oriented, and faith-believing people. It is these people that we have the awesome privilege yet overwhelming responsibility to represent and to serve. Once again, help us appreciate the beauty of our fellow citizens and remind us often that we are here for them. In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Lukert.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2589**.

Federal and State Affairs: **HB 2588**.

### MESSAGE FROM THE SENATE

Announcing passage of **Sub. SB 325**; **SB 368**.

Announcing adoption of **SCR 1611**.

Announcing passage of **Sub. HB 2067**; **HB 2114**, **HB 2115**, **HB 2270**, **HB 2294**, **HB 2306**, **HB 2425**.

Announcing passage of **HB 2048**, as amended; **HB 2068**, as amended; **HB 2140**, as amended; **HB 2169**, as amended; **HB 2202**, as amended; **HB 2214**, as amended; **HB 2217**, as amended; **HB 2280**, as amended; **HB 2295**, as amended by **S. Sub. for HB 2295**; **Sub. HB 2310**, as amended; **HB 2485**, as amended by **S. Sub. for HB 2485**.

The Senate concurs in House amendments to **SB 219**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**Sub. SB 325**; **SB 368**; **SCR 1611**.

### INTRODUCTION OF ORIGINAL MOTIONS

In accordance with subsection (b) of House Rule 1503, Rep. Roth moved that the order

on General Orders of **H. Sub. for SB 101** be changed to the first measure to be considered on General Orders.

(The Chief Clerk of the House of Representatives is requested to read this motion and cause it to be printed in the Calendar of March 22, 2007, under the order of business "Consideration of Motions and House Resolutions Offered on a Previous Day" as provided by House Rule 1503 (b).) (See further action, Late Afternoon Session).

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 23**.

Speaker pro tem Dahl thereupon appointed Reps. Merrick, Spalding and Storm as conferees on the part of the House.

#### CONSENT CALENDAR

No objection was made to **SB 183**, **SB 308** appearing on the Consent Calendar for the first day.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**Sub. HB 2451**, An act concerning child support enforcement; amending K.S.A. 23-4,119, 60-2403 and 74-147 and K.S.A. 2006 Supp. 23-495, 32-918, 32-930 and 39-756 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 39-756b, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

The substitute bill passed.

**HB 2528**, An act concerning firearms; amending K.S.A. 59-2979 and 59-29b79 and K.S.A. 2006 Supp. 12-16,124, 75-7c04, 75-7c10, 75-7c11, 75-7c17 and 75-7c25 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 17; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlson, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Feuerborn, Flora, Frownfelter, Fund, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Lane, Light, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Pottorff, Powell, Powers, Proehl, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried,

Sloan, Svaty, Swanson, Swenson, Tafanelli, Tietze, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Carlin, Colloton, Faust-Goudeau, Flaharty, Garcia, Kuether, Loganbill, Metsker, Neighbor, Owens, Phelps, Rardin, Sharp, Spalding, Storm, Treaster, Trimmer.

Present but not voting: None.

Absent or not voting: Crow.

The bill passed, as amended.

**HCR 5016**, A concurrent resolution directing the State Board of Education to monitor the re-authorization of the Elementary and Secondary Education Act especially in relation to the provisions of that act known as the No Child Left Behind Act, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Gatewood, Hodge.

Present but not voting: None.

Absent or not voting: Crow.

The resolution was adopted, as amended.

**H. Sub. for SB 35**, An act concerning driving; relating to driving while suspended; relating to driving under the influence of alcohol or drugs; concerning administrative hearings; amending K.S.A. 8-235, 8-1002 and 8-1020 and K.S.A. 2006 Supp. 8-262, 8-1001, 8-1014, 8-1567, 21-4502 and 74-7336 and repealing the existing sections, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

The substitute bill passed.

**SB 137**, An act concerning banks; prohibiting the establishment of branches with commercial affiliates, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

The bill passed, as amended.

**SB 235**, An act concerning the employment security law; definitions; amending K.S.A. 2006 Supp. 44-703 and repealing the existing section, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

The bill passed.

**SB 259**, An act relating to the secretary of state; concerning corporations and partnerships; amending K.S.A. 56-1a104, 56-1a504, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and K.S.A. 2006 Supp. 17-2036, 17-2718, 17-4634, 17-4677, 17-6202, 17-7002, 17-7304, 17-7666, 17-76,123 and 17-76,139 and repealing the existing sections, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland,

Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

The bill passed.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. C. Holmes, the House concurred in Senate amendments to **Sub. HB 2278**, An act concerning electric and natural gas public utilities; relating to financing of energy conservation equipment.

(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: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow.

On motion of Rep. Mast to concur in Senate amendments to **HB 2032**, the motion did not prevail and the bill remains in conference.

On roll call, the vote was: Yeas 39; Nays 85; Present but not voting: 0; Absent or not voting: 1.

Yeas: Beamer, Brown, Brunk, Carlson, Crum, Dahl, Faber, Faust-Goudeau, Goico, Henderson, Hodge, M. Holmes, Huebert, Kelley, Kiegerl, Kinzer, Knox, Mast, Masterson, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Neighbor, Neufeld, O'Neal, Otto, Patton, Peck, Powell, Rhoades, Schroeder, Sharp, Shultz, Vickrey, Watkins, B. Wolf, Yoder.

Nays: Aurand, Ballard, Bethell, Bowers, Burgess, Burroughs, Carlin, Colloton, Colyer, Craft, Davis, Dillmore, Donohoe, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland, C. Holmes, Horst, Humerickhouse, Huntington, Johnson, Kelsey, King, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Myers, Olson, Owens, Palmer, Pauls, Peterson, Phelps, Pottorff, Powers, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Schwartz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Ward, Wetta, Whitham, Wilk, Williams, Winn, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Crow.

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

**COMMITTEE OF THE WHOLE**

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

Recommended that **HB 2237, HB 2423; SB 95** be passed.

**Sub. HB 2430** be passed over and retain a place on the calendar.

On motion of Rep. Otto, **SB 202** be amended on page 2, following line 7, by inserting the following:

“Sec. 2. K.S.A. 65-501 is hereby amended to read as follows: 65-501. It shall be unlawful for any person, firm, corporation or association to conduct or maintain a maternity center or a child care facility for children under 16 years of age without having a license or temporary permit therefor from the secretary of health and environment. Nothing in this act shall apply to:

(a) A residential facility or hospital that is operated and maintained by a state agency as defined in K.S.A. 75-3701 and amendments thereto; ~~or~~

(b) a summer instructional camp that:

(1) Is operated by a Kansas educational institution as defined in K.S.A. 74-32,120, and amendments thereto, or a postsecondary educational institution as defined in K.S.A. 74-3201b, and amendments thereto;

(2) is operated for not more than five weeks;

(3) provides instruction to children, all of whom are 10 years of age and older; and

(4) is accredited by an agency or organization acceptable to the secretary of health and environment; *or*

(c) *a child care facility that is operated and maintained by an accredited school.*”;

And by renumbering the remaining sections accordingly;

Also on page 2, in line 8, by striking “65-503 is” and inserting “65-501 and 65-503 are”;

In the title, in line 10, preceding “amend-” by inserting “relating to exemptions;”; in line 11, following “K.S.A.” by inserting “65-501 and”; also in line 11, by striking “section” and inserting “sections”; and **SB 202** be passed as amended.

On motion of Rep. Burgess to amend **SB 178**, Rep. Flaharty requested a ruling on the amendment being germane to the bill. Rep. Flaharty subsequently withdrew her request and the bill be amended on page 2, after line 6, by inserting the following:

“New Sec. 2. (a) This section shall be cited as the umbilical cord donation information act.

(b) All health care providers providing health care services to a pregnant woman during the last trimester of such pregnancy, which health care services are directly related to such pregnancy, shall advise such person of options to donate an umbilical cord following the delivery of a newborn child. Provision in a timely manner of publications prepared by the department of health and environment pursuant to subsection (c) shall constitute compliance with this subsection.

(c) The department of health and environment shall, by July 1, 2007, prepare and distribute to health care providers information that includes the following:

(1) The medical processes involved in the collection of umbilical cords;

(2) the medical risks to a mother and the newborn child of umbilical cord collection;

(3) the current and potential future medical uses and benefits of umbilical cord collection to the birth mother, the newborn child and the biological family;

(4) the current and potential future medical uses and benefits of umbilical cord collection to persons who are not biologically related to the birth mother or the newborn child;

(5) any costs that may be incurred by a pregnant woman who chooses to make an umbilical cord donation;

(6) options for ownership and future use of the donated material; and

(7) the availability in this state of umbilical cord donations.”;

And by renumbering the remaining sections accordingly;

Also on page 2, in line 9, by striking “statute book” and inserting “Kansas register”;

On page 1, in the title, in line 9, by striking “cancer registry” and inserting “health care”; also in line 9, by striking “confidential data” and inserting “data and information on cancer registry and umbilical cord collection”; and **SB 178** be passed as amended.

On motion of Rep. Hayzlett, **SB 188** be amended on page 1, after line 13, by inserting the following:

“Section 1. K.S.A. 32-951 is hereby amended to read as follows: 32-951. (a) Except as provided further, a game breeder permit is required to engage in the business of raising and selling game birds, game animals, furbearing animals or such other wildlife as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805 and amendments thereto.

(b) Any person who desires to engage in the business described in subsection (a) may apply to the secretary for a game breeder permit. The application shall give the name and residence of the applicant, the description of the premises, the number and kind of birds or animals which it is proposed to propagate and any other information required by the secretary. The fee prescribed pursuant to K.S.A. 32-988 and amendments thereto shall accompany the application.

(c) If the secretary determines that the application is made in good faith and that the premises are suitable for engaging in the business described in subsection (a), the secretary may issue such permit. The permit shall expire on June 30 of each year.

(d) Game breeders shall make such reports of their activities to the secretary as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805 and amendments thereto. In addition to any other penalty prescribed by law, failure to make such reports or to comply with the laws of the state of Kansas or rules and regulations of the secretary shall be grounds for the secretary to refuse to issue, refuse to renew, suspend or revoke such permit.

(e) The secretary shall adopt, in accordance with K.S.A. 32-805 and amendments thereto, such rules and regulations as necessary to implement the provisions of this section.

(f) Any person who is engaged in the business of raising domesticated deer shall not be required to have a game breeder permit as required by this section. As used in this section, “domesticated deer” means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for breeding stock; for any carcass, skin or part of such animal; for exhibition; or for companionship.

(g) The secretary, on a quarterly basis, shall transmit to the livestock commissioner a current list of persons issued a game breeder permit issued pursuant to this section who are raising or selling any member of the family cervidae.

*(h) Any person holding a game breeder permit from the secretary is hereby authorized to recapture any game bird or game animal that such game breeder is permitted to raise or sell whenever any such game bird or game animal has escaped from confinement for any reason. The authorized area for such recapture is hereby limited to a one-quarter mile radius of the game breeder's operation from which the escape from confinement occurred. Notwithstanding any provision of law to the contrary, such lawful recapture within the authorized area shall not subject the game breeder to any civil, criminal or administrative action.”;*

And by renumbering sections accordingly;

On page 2, in line 31, before “K.S.A.” by inserting “K.S.A. 32-951 and”; also in line 31, by striking “is” and inserting “are”;

In the title, in line 9, after “concerning” by inserting “game breeders;”; in line 10, after “amending” by inserting “K.S.A. 32-951 and”; in line 11, by striking “section” and inserting “sections”; and **SB 188** be passed as amended.

Committee report to **2519** be adopted; also, on motion of Rep. Hawk be amended on page 7, after line 6, by inserting the following:

“(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers’ sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.”;

On page 10, in line 32, by striking “and”; in line 35, after “2.0%” by inserting the following: “; and

(r) the board of county commissioners of Riley county, for the purpose of paragraph (20) of subsection (b) of K.S.A. 12-187, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%";

On page 13, in line 39, by striking "or" and by inserting a comma; also in line 39, after "(19)" by inserting "or (20)"; and **HB 2519** be passed as amended.

Committee report to **HB 2175** be adopted; also, roll call was demanded on motion of Rep. Holland to refer the bill to Committee on Government Efficiency and Technology.

On roll call, the vote was: Yeas 67; Nays 54; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Burroughs, Carlin, Colloton, Craft, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Johnson, King, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Metsker, Moxley, Neighbor, Otto, Owens, Palmer, Pauls, Peterson, Phelps, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Sharp, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Tietze, Treaster, Trimmer, Ward, Wetta, Whitham, Williams, Winn, K. Wolf, Worley.

Nays: Aurand, Beamer, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Crum, Dahl, Donohoe, Faber, Fund, Goico, Gordon, Grange, Hayzlett, Hodge, M. Holmes, Horst, Huebert, Humerickhouse, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Landwehr, Mast, Masterson, McLeland, Merrick, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Neal, Olson, Patton, Peck, Pottorff, Powell, Powers, Rhoades, Schroeder, Schwartz, Shultz, Swenson, Tafanelli, Vickrey, Watkins, Wilk, B. Wolf, Yoder.

Present but not voting: None.

Absent or not voting: Bethell, Crow, George, C. Holmes.

The motion of Rep. Holland prevailed and **HB 2175** be referred to Committee on Government Efficiency and Technology.

On motion of Rep. O'Neal, **SB 114** be amended on page 2, in line 24, by striking all after the period; by striking all in line 25; in line 26, by striking "utive months" and inserting "Any combination of fraudulent acts as defined in subsection (a) which occur in a period of six consecutive months"; and **SB 114** be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 146** be amended on page 1, in line 20, after "65-3424d" by inserting a comma; in line 23, after "3424b" by inserting a comma; in line 24, by striking "(e)" and inserting "(f)"; in line 28, after "65-3424k" by inserting a comma;

On page 2, in line 6, by striking "75%" and inserting "50%"; in line 15, by striking "playground cover or other"; in line 16, by striking "Kansas"; in line 19, after the period, by inserting "The provisions of this paragraph shall expire on June 30, 2010."; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2077** be amended on page 2, after line 19, by inserting the following:

"Sec. 2. K.S.A. 2006 Supp. 74-4960a is hereby amended to read as follows: 74-4960a. (1) If any active contributing member who is appointed or employed on or after July 1, 1989, or who makes an election pursuant to K.S.A. 74-4955a and amendments thereto to be covered by the provisions of this act becomes disabled as defined in subsection (2), such member shall receive a monthly benefit equal to 50% of the member's final average salary at the time such member was disabled payable in monthly installments, accruing from the first day upon which the member ceases to draw compensation, if a report of the disability in such form and manner as the board shall prescribe is filed in the office of the executive director of the board within 220 days after the date of the commencement of such disability and if an application for such benefit in such form and manner as the board shall prescribe is filed in the office of the executive director of the board within two years of the date of the commencement of such disability, except that the board may waive such two-year requirement, if the board is presented with evidence that clearly warrants such a waiver.



(2) For the purposes of this section, "disabled" means total inability to perform permanently the duties of the position of policeman or fireman.

(3) In the event a member who is disabled and entitled to such benefits as provided in subsection (1) dies after the date of such disability, the following benefits shall be payable:

(i) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, to the member's spouse, if lawfully wedded to the member at the time of the member's death, and if no benefits are payable under subsection (3) of K.S.A. 74-4958a, and amendments thereto, a lump-sum benefit equal to 50% of the member's final average salary at the time such member was disabled.

(ii) To the member's spouse, if lawfully wedded to the member at the time of the member's death, an annual benefit equal to 50% of the member's benefit payable in monthly installments, to accrue from the first day of the month following the member's date of death and ending on the last day of the month in which the spouse dies. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act. If there is no surviving spouse, or if after the death of the spouse there remain one or more children under the age of 18 years or one or more children under the age of 23 years who is a full-time student as provided in K.S.A. 74-49,117 and amendments thereto, the spouse's benefit shall be payable, subject to the provisions of K.S.A. 74-49,123 and amendments thereto, in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117 and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act.

(4) Any member who was employed for compensation by an employer other than the member's participating employer and whose disability was incurred in the course of such other employment shall not be eligible for any of the benefits provided in subsection (1) or (3).

(5) If a member becomes totally and permanently disabled and no benefits are payable under subsection (1), the sum of the member's accumulated contributions shall be paid to the member.

(6) Any member receiving benefits under this section shall submit to medical examination, not more frequent than annually, by one or more physicians or any other practitioners of the healing arts holding a valid license issued by the state board of healing arts to practice a branch of the healing arts, as the board of trustees may direct. If upon such medical examination, the examiner's report to the board states that the member is physically able and capable of resuming employment with the same or a different participating employer, the disability benefits shall terminate. A member who has been receiving benefits under the provisions of this section and who returns to employment, as defined in subsection (4) of K.S.A. 74-4952 and amendments thereto, of a participating employer shall immediately commence accruing service credit which shall be added to that which has been accrued by virtue of previous service.

(7) Any member who has been receiving benefits under the provisions of this section for a period of five years shall be deemed permanent and shall not be subject to further medical examinations, except that if the board of trustees shall have reasonable grounds to question whether the member remains totally and permanently disabled, a further medical examination or examinations may be required.

(8) Refusal or neglect to submit to examination as provided in subsection (6) shall be sufficient cause for suspending or discontinuing benefit payments under this section and if

such refusal or neglect shall continue for a period of one year, the member's rights in and to all benefits under this system may be revoked by the board.

(9) In the event that a member becomes disabled and is eligible for benefits provided in this section, such member shall be given participating service credit for the entire period of such disability.

(10) Any member who is receiving benefits pursuant to this section shall file annually a statement of earnings for the previous year in such form and manner as the board shall prescribe. Any disability benefit paid to a member entitled to such benefit pursuant to this section shall be reduced by the board in an amount equal to a \$1 reduction in such benefit for every \$2 of earnings of such member which were earned during the previous year while such member was disabled. Such reduction shall apply only to a member's earnings which exceed \$10,000, *or commencing in calendar year 2007, and all calendar years thereafter, a member's earnings which exceed \$20,000.*

(11) Any benefits provided pursuant to this section and any participating service credit given pursuant to subsection (9) shall terminate upon the earliest date such member is eligible for retirement upon attainment of the normal retirement date as provided in K.S.A. 74-4964a and amendments thereto.

(12) Any member who has received benefits under the provisions of this section for a period of five years or more immediately preceding retirement shall have such member's final average salary adjusted upon retirement by the actuarial salary assumption rates in existence during such period. Effective July 1, 1993, each member's current annual rate shall be adjusted upon retirement by 5% for each year of disability after July 1, 1993, but before July 1, 1998. Effective July 1, 1998, such member's current annual rate shall be adjusted upon retirement by an amount equal to the lesser of: (1) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor minus one percent; or (2) four percent per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of retirement, for each year of disability after July 1, 1998.

(13) All payments due under this section to a minor shall be made to a legally appointed conservator of such minor.

(14) The provisions of this section shall be effective on and after July 1, 1989 and shall apply only to members who were appointed or employed prior to July 1, 1989, and who made an election pursuant to K.S.A. 74-4955a and amendments thereto; and persons appointed or employed on or after July 1, 1989.

(15) Any member who has been receiving benefits under the provisions of this section and who returns to employment with the same or different participating employer in the system shall no longer be deemed disabled under the provisions of this section.

(16) Upon the death of a member who has been receiving benefits under the provisions of this section, if no further benefits are payable, the excess, if any, of the member's accumulated contributions over the sum of all benefits paid shall be paid to the member's beneficiary.;

And by renumbering section 2 as section 3;

On page 3, after line 30, by inserting the following:

"New Sec. 4. (a) This section applies to the Kansas public employees retirement system and to all other public retirement plans administered by the board of trustees.

(b) As used in this section:

(1) "Eligible retired public safety officer" means the same as provided in section 402(l) of the federal internal revenue code;

(2) "federal internal revenue code" means the federal internal revenue code of 1986, as in effect on January 1, 2008.

(3) "public safety officer" means the same as provided in section 402(l) of the federal internal revenue code; and

(4) "qualified health insurance premiums" means the same as provided in section 402(l) of the federal internal revenue code.

(c) The purpose of this section is to authorize the board of trustees of the Kansas public employees retirement system to implement the provisions of section 402(l) of the federal internal revenue code. This section shall be interpreted in accordance with that purpose.

(d) Notwithstanding any other law to the contrary, the board of trustees of the Kansas public employees retirement system may adopt rules and procedures effective on and after January 1, 2008, to:

(1) Permit certain retired members of the system, as identified by the board, who are eligible retired public safety officers to elect to have a direct deduction of qualified health insurance premiums made from their monthly retirement or disability benefits; and

(2) implement the provisions of section 402(l) of the federal internal revenue code so that these direct deductions of qualified health insurance premiums shall be excludable from gross income to the extent permitted by federal law.

(e) The provisions of this section shall be part of and supplemental to the provisions of K.S.A. 74-4901 et seq., and amendments thereto.”;

And by renumbering sections 3 and 4 as sections 5 and 6;

Also on page 3, in line 31, after “74-4988” by inserting “and K.S.A. 2006 Supp. 74-4960a”;

On page 1, in the title, in line 11, before “amending” by inserting “earnings limitation for certain members receiving disability benefits; federal nontaxable distributions to certain retirants;”; in line 12, after “74-4988” by inserting “and K.S.A. 2006 Supp. 74-4960a”; and the bill be passed as amended.

Committee on **Commerce and Labor** recommends **SB 360** be passed.

Committee on **Commerce and Labor** recommends **SB 333** be amended on page 1, in line 24, after “building” by inserting a comma; also in line 24, by striking “and” and inserting “or”; in line 25, by striking “facilities” and inserting “facility”;

On page 4, in line 30, by striking all after “to”; by striking all in lines 31 and 32; in line 33, by striking all before the period and inserting “the design, construction, alteration, modification, improvement or repair of water or sewer lines or related structures, public highways, roads, streets, bridges, dams, turnpikes or stand-alone parking lots”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2341** be amended on page 1, in line 31, by striking all after the period; by striking all in lines 32 and 33; in line 42, by striking “both orally and in writing.”; in line 43, by striking all after the period;

On page 2, by striking all in lines 1 through 5; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 67** be amended on page 3, in line 2, by striking “KAN-ED network” and inserting “state board of regents”; in line 3, before “network” by inserting “KAN-ED”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 244** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 244,” as follows:

“HOUSE Substitute for SENATE BILL No. 244

By Committee on Federal and State Affairs

“AN ACT concerning the Kansas funeral privacy act; amending K.S.A. 21-4015 and 60-2102 and repealing the existing sections.”; and the substitute bill be passed.

(**H. Sub. for SB 244** was thereupon introduced and read by title.)

Committee on **Insurance and Financial Institutions** recommends **HR 6009** be adopted.

Committee on **Insurance and Financial Institutions** recommends **Substitute for SB 208** be amended in the title, in line 9, by striking all after “concerning”; by striking all in line 10; in line 11, by striking all before the period and inserting “the insurance department; establishing the criminal anti-fraud division”; and the substitute bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **SB 271** be amended on page 4, in line 1, preceding “lan-” by inserting “or similar”; in line 3, by striking all following “by”; in line 4, by striking all preceding the period and inserting “the policies listed thereon”; in line 25, by striking all following the period; by striking all in lines 26 through 33; in line 34, by striking all preceding “Personal”; and the bill be passed as amended.

Committee on **Insurance and Financial Institutions** recommends **SCR 1603** be amended on page 1, in line 35, by striking all after “system” and inserting “; and

WHEREAS, It would be appropriate for the state of Kansas to conduct a comprehensive review of insurance department fee modernization and modernizing rating laws for personal lines of property and casualty insurance and workers compensation: Now, therefore,”;

Also on page 1, in line 37, after “formed” by inserting “to study the design and implementation of an electronic motor vehicle financial security verification system”; in line 38, by striking “17” and inserting “18”;

On page 2, in line 18, after “Agents” by inserting the following:  
 “; one member representing licensed Kansas insurance agents appointed by the insurance commissioner from a list submitted by the Kansas Association of Insurance and Financial Advisors;”;

Also on page 2, after line 32, by inserting the following:  
 “*Be it further resolved:* That a second task force be formed to conduct a comprehensive review of insurance department fee modernization and modernizing rating laws for personal lines of property and casualty insurance and workers compensation consisting of 14 members to include the commissioner of insurance or the commissioner’s designee; one member appointed by the president of the senate; one member appointed by the minority leader of the senate; one member appointed by the speaker of the house of representatives; one member appointed by the minority leader of the house of representatives; one member representing a domestic property and casualty insurance company and one member representing a foreign property and casualty insurance company appointed by the insurance commissioner from a list submitted by the Kansas Association of Property and Casualty Insurance Companies; one member representing foreign stock insurance companies appointed by the insurance commissioner from a list submitted by the American Insurance Association; one member representing automobile insurance companies appointed by the insurance commissioner from a list of the top six automobile insurance premium writers in Kansas; one member representing a property and casualty insurance company appointed by the Insurance commissioner from a list submitted by the Property Casualty Insurers Association of America; one member representing a property and casualty insurance company appointed by the insurance commissioner from a list submitted by the National Association of Mutual Insurance Companies; one member representing the licensed Kansas insurance agents appointed by the insurance commissioner from a list submitted by the Kansas Association of Insurance Agents; one member representing licensed Kansas Insurance agents appointed by the insurance commissioner from a list submitted by the Kansas Association of Insurance and Financial Advisors; and one member appointed by the governor representing the consumer interests. The commissioner of insurance shall serve as the chairperson and appoint the vice-chairperson from the membership of the task force. The chairperson and vice-chairperson shall not be of the same political party. Except for members of the legislature appointed to serve on the task force, no task force member shall receive any compensation, subsistence, mileage or other allowances for serving on the task force or attending any meeting thereof. Members of the legislature attending meetings of the task force shall be paid compensation, subsistence and expenses in accordance with K.S.A. 75-3212 and amendments thereto. The staff of the legislative research department and the office of the revisor of statutes shall provide such assistance as may be requested by the task force to the extent authorized by the legislative coordinating council.”;

Also on page 2, in line 33, by striking “study” and inserting “studies”; in line 34, by striking “force’s” and inserting “forces’ ”; in line 37, before the comma, by inserting “and financial institutions”;

On page 1, in the title, in line 9, by striking “a” and inserting “two”; in line 10, by striking “force” and inserting “forces, one”; in line 13, before the period, by inserting “and the second to conduct a comprehensive review of insurance department fee modernization and modernizing rating laws for personal lines of property and casualty insurance and workers compensation”; and the concurrent resolution be adopted as amended.

Committee on **Judiciary** recommends **SB 204** be amended on page 4, in line 42, by striking “three” and inserting “10”; in line 43, by striking “three” and inserting “10”;

On page 5, in line 2, by striking “three” and inserting “10”; in line 3, by striking “three” and inserting “10”; in line 10, by striking “three” and inserting “10”; in line 13, by striking “three” and inserting “10”; in line 21, by striking “three” and inserting “10”; in line 27, by striking “three” and inserting “10”; in line 32, by striking “three” and inserting “10”; in line 36, by striking “three” and inserting “10”;

On page 6, in line 5, by striking “three” and inserting “10”; in line 9, by striking “three” and inserting “10”; in line 26, by striking “three” and inserting “10”;

On page 8, in line 11, by striking “three” and inserting “10”; in line 17, by striking “three” and inserting “10”; in line 29, by striking “three” and inserting “10”; in line 33, by striking “three” and inserting “10”;

On page 9, in line 18, by striking “three” and inserting “10”; in line 24, by striking “three” and inserting “10”; in line 36, by striking “three” and inserting “10”; in line 40, by striking “three” and inserting “10”;

On page 12, after line 17, by inserting:

“(4) The provisions of paragraph (2)(A)(ii) shall apply to adjudications on and after the effective date of this act and retroactively to adjudications prior to July 1, 2007.”;

Also on page 12, in line 19, by striking all after “state”; in line 20, by striking “another state”; in line 22, by striking all after the period; by striking all in lines 23 and 24; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2549** be amended on page 1, in line 29, by striking “after” and inserting “on or before December 20 of the year of”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 34** be amended on page 2, in line 28, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 115** be amended on page 2, in line 22, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 198** be amended on page 3, after line 28, by inserting the following:

“New Sec. 3. A person owning or occupying a homestead that is not rental property and for which the appraised valuation for property tax purposes exceeds \$350,000 in any year shall not be entitled to claim a refund of property taxes under the homestead property tax refund act for any such year. The provisions of this section shall be part of and supplemental to the homestead property tax refund act. The provisions of this section shall expire on June 30, 2012.

New Sec. 4. If there are delinquent property taxes on the claimant’s homestead, the refund shall be paid to the county treasurer of the county in which such homestead is located and applied first to the oldest of such delinquent property taxes and applied forward to the most recent delinquent property taxes and then to any other property taxes due on the claimant’s homestead. The provisions of this section shall be part of and supplemental to the homestead property tax refund act.

New Sec. 5. The provisions of K.S.A. 79-4501 through 79-4517, 79-4519, 79-4521, 79-4530 and 79-4531, section 3 and section 4, and amendments thereto, shall expire on June 30, 2012.

Sec. 6. K.S.A. 2006 Supp. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) “Income” means the sum of adjusted gross income under the Kansas income tax act, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments ~~and all payments received under the federal social security act except disability payments~~, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of “loss of time” insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability pensions. *Income does not include payments received under the federal social security act.*

(b) “Household” means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) “Household income” means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, whether owned or rented, which is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (1) A person having a disability; (2) a person who is 55 years of age or older or (3) a person other than a person included under (1) or (2) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) "Blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of 20/200 or less.

(i) "Rent constituting property taxes accrued" means ~~20%~~ 15% of the gross rent actually paid in cash or its equivalent in ~~1979~~ 2007 or any taxable year thereafter by a claimant and claimant's household solely for the right of occupancy of a Kansas homestead on which ad valorem property taxes were levied in full for that year. When a household occupies two or more different homesteads in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the household while occupied by the household as its homestead during the year.

(j) "Gross rent" means the rental paid at arm's length solely for the right of occupancy of a homestead or space rental paid to a landlord for the parking of a mobile home, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arms length and that the gross rent charge was excessive, the director may adjust the gross rent to a reasonable amount for the purposes of the claim.

Sec. 7. K.S.A. 2006 Supp. 79-4504 is hereby amended to read as follows: 79-4504. Subject to the limitations provided in this act or the provisions of K.S.A. 79-4530, and amendments thereto, as the case requires, a claimant may claim property tax relief under the homestead property tax refund act or the provisions of K.S.A. 79-4530, and amendments thereto, with respect to property taxes accrued, and after audit by the division of taxation with respect to homestead property tax refund act, the allowable amount of such claim shall be paid, except as otherwise provided in K.S.A. 79-4506, 79-4521 and section 4, and amendments thereto, to the claimant from the income tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or by any person designated by the claimant, but no warrant issued hereunder shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to a claimant pursuant to this act.

Sec. 8. K.S.A. 79-4509 is hereby amended to read as follows: 79-4509. In the event property taxes accrued, rent constituting property taxes accrued or their sum exceeds ~~\$600~~ \$750 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been ~~\$600~~ \$750.

Sec. 9. K.S.A. 79-4511 is hereby amended to read as follows: 79-4511. (a) Every claimant under this act shall supply to the division, in support of a claim, reasonable proof of age or disability, and changes of homestead, household membership, household income, and size and nature of property claimed as the homestead. A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability within the meaning of subsection (g) of K.S.A. 79-4502 and amendments thereto.

(b) Every claimant who is a homestead owner, or whose claim is based wholly or partly upon homestead ownership at some time during the calendar year, shall supply to the division, in support of a claim, ~~a copy of the statement~~ the amount of property taxes levied upon the property claimed as a homestead and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant ~~and that there are no delinquent property taxes on the homestead.~~ Upon request by the division, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a homestead. The amount of personal property taxes levied on a manufactured home or mobile home shall be set out on the personal property tax statement showing the amount of such tax as a separate item.

(c) Every claimant who is a homestead renter, or whose claim is based wholly or partly upon homestead rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant. *When such claimant reports household income that is 150% or less of the homestead rental amount and such claimant has failed to provide any documentation or information requested by the division to verify such household income in support of a claim as required pursuant to subsection (a), within 30 days of such request, such homestead property tax refund claim shall be denied.*

(d) The information required to be furnished under subsections (b) or (c) shall be in addition to that required under subsection (a).;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 29, after “3.” by inserting “K.S.A. 79-4509 and 79-4511 and”; also in line 29, by striking “is” and inserting “, 79-4502 and 79-4504 are”;

On page 1, in the title, in line 9, after “concerning” by inserting “taxation; relating to”; also in line 9, by striking the semicolon and inserting a comma, in line 10, after the semicolon by inserting “homestead property tax refunds;”; also in line 10, after “amending” by inserting “K.S.A. 79-4509 and 79-4511 and”; in line 11, after “8-1,141” by inserting “, 79-4502 and 79-4504”; also in line 11, by striking “section” and inserting “sections”; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2559** be amended by substituting a new bill to be designated as “Substitute for HOUSE BILL No. 2559,” as follows:

“Substitute for HOUSE BILL No. 2559

By Committee on Transportation

“AN ACT regulating traffic; concerning work-site utility vehicles and all-terrain vehicles; amending K.S.A. 8-15,100 and K.S.A. 2006 Supp. 8-128, 8-1486 and 8-2118 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 8-2118a.”; and the substitute bill be passed.

(**Sub. HB 2559** 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 bill was thereupon introduced and read by title:

**HB 2590**, An act concerning sales taxation; relating to definitions; exemptions; exemption certificates; errors in collection, relief of liability; jurisdiction and rate database; amending K.S.A. 2006 Supp. 79-3602, 79-3603, 79-3606, 79-3609, 79-3651, 79-3667, 79-3668, 79-3669 and 79-3673 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 79-3671 and 79-3691, by Committee on Taxation.

#### MESSAGE FROM THE SENATE

The President announced the appointment of Senator Goodwin as a member of the conference committee on **S. Sub. for Sub. HB 2035** to replace Senator Lee.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6015—

By Representatives Colyer, Mast, Merrick, Huntington, Wilk, King, Bethell, Kiegerl, Yoder, Beamer, Bowers, Brown, Brunk, Carlson, Colloton, Craft, Crum, Dahl, Donohoe, Faber, Fund, George, Goico, Gordon, Grange, Hayzlett, Hodge, M. Holmes, Horst, Huebert, Humerickhouse, Kelley, Kelsey, Kinzer, Long, Masterson, McLeland, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O’Neal, Otto, Patton, Peck, Pottorff, Powell, Powers, Proehl, Rhoades, Roth, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Swanson, Tafanelli, Vickrey, Whitham, Williams, K. Wolf and Worley



A RESOLUTION setting forth a vision for the future of the health care system in Kansas.

WHEREAS, The future of the health care system in Kansas is balanced precariously on shrinking private health insurance coverage, expanding numbers of Kansans on medicaid and a stagnant number of uninsured persons; and

WHEREAS, Many problems in the health care system are caused by disruption of market forces and lack of competition; and

WHEREAS, The cost of health care is rising for all Kansans and represents nearly 16% of the country's gross domestic product, yet the health care system provides the best health care in the world; and

WHEREAS, The costs of medicaid are rising at an unsustainable rate and present significant fiscal problems, while shifting costs to private insurance and denying medicaid recipients the wide choice of plans and benefits which they want and deserve; and

WHEREAS, Many Kansans face special health care issues, especially those in rural communities, seniors, mothers and children, those in minority ethnic groups and inner city communities and those with special health needs such as diabetes, cardiovascular disease, cancer and disabilities; and

WHEREAS, Health is a major concern for all businesses in Kansas and there are significant workforce issues which dramatically affect the provision of health care; and

WHEREAS, The insurance industry plays a vital, central role in financing health care: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the House of Representatives is committed to improve the health of all Kansans with a vision to expand private health care and private health insurance while decreasing the number of uninsured and those dependent on government programs, guided by principles that, whenever possible: (1) Preserve and stabilize the health care system safety net; (2) use market forces to expand private health insurance coverage, limit costs, improve quality and guarantee long term health insurance stability for all Kansans; (3) strengthen the pluralistic, world-class health system of Kansas; (4) expand private sector health care and insurance rather than rely on government assistance; (5) do not rely on individual or employer mandates or new taxes; (6) minimize the number and impact of uninsured; and (7) carefully craft programs that emphasize wellness and the health care needs of Kansans; and

*Be it further resolved:* That the Legislature, the Commissioner of Insurance, the Kansas Health Policy Authority, other agencies of the Executive Branch of state government and the private sector are encouraged to work together to expand the private insurance market by increasing the number of private insurance plans; promoting policies which provide affordability, portability, renewability and choice and increasing health savings accounts (HSAs); and enabling Kansans to use pretax dollars to save at least 15% on health care; and

*Be it further resolved:* That the Legislature, the Kansas Health Policy Authority, other agencies of the Executive Branch of state government and the United States Department of Health and Human Services are encouraged to partner together to modernize government financed health care using the National Governors Association and federal recommendations, market forces and the experience of other states to carefully redesign the Kansas state medicaid plan to give a wide choice of providers and contractors, multiple HSAs and benefit packages that target different health problems and Health Opportunity Accounts that reward healthy initiatives and personal responsibility; that the Kansas Health Policy Authority is urged to establish a task force to partner with the Center for Medicare and Medicaid Services and the Joint Committee on Health Policy Oversight to expedite Kansas state medicaid plan amendments and waivers to prevent waste, fraud and abuse, modernize senior and pediatric care and stabilize multiyear funding and to advance the initiatives listed above; and

*Be it further resolved:* That the Legislature, the Commissioner of Insurance, the Health Policy Authority, other agencies of the Executive Branch of state government, the private sector and the United States Department of Health and Human Services are encouraged to implement policies to transition Kansans from the uninsured and medicaid rolls to private health insurance through multiple targeted programs, including, but not limited to, premium

assistance, tax credits, programs for individuals between jobs, family plans, small business plans and plans tailored to ethnic and cultural groups; and

*Be it further resolved:* That the Legislature, agencies of the Executive Branch of state government and the private sector are urged to collaborate to strengthen safety net clinics and emergency rooms and encourage more providers to expand charity care; and

*Be it further resolved:* That long term stability of state financial support for the health care and insurance system be improved through a private foundation or trust fund into which one time windfalls, asset sales, public and private grants and other revenues are paid and the earnings on such revenues be available to the state to invest in health initiatives listed above; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives is directed to send enrolled copies of this resolution to the Governor, the Executive Director and Board of the Kansas Health Policy Authority, the Insurance Commissioner, the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, each member of the Kansas Congressional Delegation and the United States Department of Health and Human Services Centers for Medicare and Medicaid Services.

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

On motion of Rep. Brunk, the House nonconcurred in Senate amendments to **S. Sub. for HB 2295** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Brunk, Kiegerl and Ruiz as conferees on the part of the House.

On motion of Rep. Merrick, the House recessed until 4:00 p.m.

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#### **LATE AFTERNOON SESSION**

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

#### **MESSAGES FROM THE GOVERNOR**

**HB 2074** approved on March 21, 2007.

#### **VETO MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2293**, An act concerning licensure, examination and registration of certified public accountants; relating to the board of accountancy; amending K.S.A. 1-302b, 1-308, 1-310, 1-311, 1-312, 1-316, 1-318, 1-319, 1-321 and 1-501 and K.S.A. 2006 Supp. 1-304 and repealing the existing sections, was received and read.

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

My office has determined that **HB 2293** contains a significant drafting error which would inadvertently revoke the right of some accountants to practice in Kansas. Therefore, pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I veto **HB 2293**. I support the intent of the bill and encourage the Legislature to pass a corrected version this year so I can sign it into law.

KATHLEEN SEBELIUS  
Governor

Dated: March 21, 2007

#### **MESSAGE FROM THE SENATE**

Announcing passage of **SB 189, SB 267; Sub. SB 309; SB 347, SB 357, SB 358, SB 359.**

Announcing passage of **HB 2274, HB 2419.**

Announcing passage of **HB 2081**, as amended.

The Senate adopts conference committee report on **HB 2034.**

The Senate adopts conference committee report on **HB 2036**.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**SB 189, SB 267; Sub. SB 309; SB 347, SB 357, SB 358, SB 359.**

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 2591**, An act enacting the foundations of health reform act of 2007; amending K.S.A. 39-785 and 40-2215 and K.S.A. 2006 Supp. 39-709, 40-19c06, 40-2209, 40-3209, 75-6501 and 75-7408 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 39-709d, by Committee on Appropriations.

#### CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HCR 5022, HCR 5023** from Committee on Federal and State Affairs and referral to Committee on Calendar and Printing.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SCR 1606** be adopted and, because the committee is of the opinion that the resolution is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Energy and Utilities** recommends **Substitute for SB 20** be amended on page 3, in line 14, after "means" by inserting ": (1) For a tier 1 facility,"; in line 15, by striking "of" where it appears for the first time and inserting "from"; also in line 15, by striking "an underground"; by striking all in lines 16 and 17; in line 18, by striking all before the period and inserting "such facility; and (2) for a tier 2 facility, the area not less than 36 inches from the outside dimensions in all horizontal directions of such facility"; in line 35, by striking "two" and inserting "five";

On page 5, in line 4, by striking "(h)" and inserting:  
"(h)";

Also on page 5, after line 6, by inserting the following:

"(i) Any person who engages directly in excavation but who is excluded from the definition of "excavator" shall directly notify operators of tier 2 facilities of intent to excavate.

(j) Except as provided by subsection (k), the excavator shall pay 50% of each fee assessed by the notification center for any referral to mark tier 2 facilities and the operator shall pay the remainder of such fee, but such operator shall not be required to pay more than \$0.25.

(k) The excavator shall pay the full amount of the referral fee assessed for any referral to remark the location of tier 2 facilities unless the request is due to circumstances not reasonably within the control of the excavator.

(l) An operator of tier 2 facilities which can demonstrate a formal planning process through which excavators must receive authorization prior to commencing excavation may certify to the state corporation commission and the notification center that the operator's internal notification and marking system is at least comparable to process used by the notification center. Upon receipt of such certification, the state corporation commission and the notification center shall provide that information to any excavator contacting the state corporation commission or the notification center, at no charge to the operator.";

Also on page 5, in line 8, by striking all after "(a)"; by striking all in lines 9 through 14 and inserting the following: "Unless otherwise agreed between the parties, an operator served with notice of intent to excavate shall inform the excavator of the tolerance zone of the underground facilities of the operator in the area of the planned excavation by marking, flagging or other acceptable method: (1) Within two working days, beginning on the later of the first working day after the excavator filed the notice or the first day after the excavator has whitelined the excavation site, for tier 1 facilities; and (2) within five working days,

beginning on the later of the first working day after the excavator filed the notice or the first day after the excavator has whitelined the excavation site, for tier 2 facilities.”;

On page 6, in line 3, by striking “within two working days”; in line 4, after “manner” by inserting “and within the time”; in line 5, by striking all after “(a)”; in line 13, by striking “within two working days”; in line 14, after “operator” by inserting “within the time required by subsection (a)”; in line 19, after “operator” by inserting “on and”; in line 23, by striking “As used in this section, “tier” and inserting the following: “Before January 1, 2008, each person who owns or operates a tier 2 facility, other than a person who is the owner of real property where the tier 2 facility is located for the purpose of furnishing services or materials only to such person or occupants of such property, shall notify the notification center recognized pursuant to K.S.A. 66-1805, and amendments thereto, of such person’s intent to receive notification in the same manner as operators of tier 1 facilities.

(c) As used in this section:

(1) “Tier 1 facility” means an underground facility used for transporting, gathering, storing, conveying, transmitting or distributing gas, electricity, communications, crude oil, refined or reprocessed petroleum, petroleum products or hazardous liquids.

(2) “Tier”; and the substitute bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 66** be passed.

Committee on **Federal and State Affairs** recommends **HB 2588** be amended on page 1, in line 14, after “members” by inserting “nine of which are members”;

On page 2, in line 15, by striking “2008” and inserting “2007”; after line 21, by inserting the following:

(d) make a study of the scope of problem gambling in Kansas and its economic and social impact;”;

And by relettering subsections accordingly;

Also on page 2, in line 35, by striking “statute book” and inserting “Kansas register”; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2531** be amended on page 1, in line 38, by striking “and” and inserting “or”; in line 39, by striking all following “pharmacies”; in line 40, by striking “under common” and inserting “that have the same”; also in line 40, by striking “and” and inserting “or”; in line 41, by striking “licensed” and inserting “registered”;

On page 2, in line 1, by striking “manufacturer” and inserting “manufacture”;

On page 3, in line 8, by striking “licensed” and inserting “registered”; in line 10, by striking “national” and inserting “normal”; following line 33, by inserting the following:

“(t) “Intracompany transaction” means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.”;

On page 6, in line 15, by striking “licensed” and inserting “registered”;

And by relettering the remaining subsections accordingly;

On page 7, in line 16, by striking “and” and inserting “that conduct wholesale distributions.”; in line 18, following the period by inserting “Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.”; in line 22, by striking all following “pharmacy”; by striking all in line 23; in line 24, by striking all preceding the period and inserting “if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period”; in line 30, preceding “unless” by inserting “as defined in this section.”;

On page 8, in line 12, by striking “or”; in line 13, before the period by inserting “; or (13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board’s rules and regulations”;

On page 10, in line 38, before the second “to” by inserting “drugs.”; in line 39, by striking “or” where it appears for the first time;

On page 13, in line 27, after “sell” by inserting “or lease”; also in line 27, after “sale” by inserting “or lease”; in line 28, before the period by inserting “, in accordance with rules and regulations adopted by the board, and paying a durable medical equipment registration fee set by the board not to exceed \$300, except that this subsection shall not apply to:

- (1) Sales not made in the regular course of the person’s business; or
- (2) sales by charitable organizations exempt from federal income taxation pursuant to the internal revenue code of 1986, as amended”;

On page 15, in line 11, by striking “licensure” and inserting “registration”; in line 14, by striking “licensing” and inserting “registration”; in line 15, after the period by inserting “The board shall adopt rules and regulations to establish standards and requirements for the issuance and maintenance of a wholesale distributor registration, including inspections of wholesale distributor facilities domiciled in the state.

(1) Individual or third party inspectors must demonstrate to the board that they have received training or demonstrate familiarity with the inspection standards. Evidence such as a letter of certification from a training program, notice from the inspector’s employing third party organization or other means recognized by the board shall be accepted as meeting the requirement.

(2) The board may register a wholesale distributor that is licensed or registered under the laws of another state if:

(A) The requirements of that state are deemed by the board to be substantially equivalent; or

(B) the applicant is inspected and accredited by a third party recognized and approved by the board; or

(C) the applicant has completed an internal audit and review according to standards approved by the board.”;

Also on page 15, in line 23, by striking “license” and inserting “registration”; in line 24, by striking “licensing” and inserting “registration”; and the bill be passed as amended.

With unanimous consent, the motion of Rep. Roth, in accordance with House Rule 1503 (b), to place **H. Sub. for SB 101** as the first order of business on General Orders, was withdrawn (see previous action, Morning Session).

#### REPORT ON ENGROSSED BILLS

**HB 2528** reported correctly engrossed March 20, 2007.

Also, **Sub. HB 2278; HB 2519** reported correctly engrossed March 21, 2007.

#### REPORT ON ENGROSSED RESOLUTIONS

**HCR 5016** reported correctly engrossed March 20, 2007.

#### READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 463, under Reports of Standing Committees, under Committee on **Judiciary**, **SB 182** should read **SB 183**.

On motion of Rep. Merrick, the House adjourned until 10:30 a.m., Thursday, March 22, 2007.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

