

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 27, 2007, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair.
The roll was called with 123 members present.
Reps. Crow and Goico were excused on excused absence by the Speaker.

Prayer by Rep. Brown:

“Do you know the joy of being forgiven?”

“Through forgiveness the arms of Jesus lift you, His blood cleanses you, and His love changes you. It is His free gift to you. Turn your heart toward Jesus. Pray to receive Him and His forgiveness by faith today...He will come into your heart and make all things new.

“Therefore, if anyone is in Christ, he is a new creation; the old has gone, the new has come!”

II Corinthians 5:17 NIV

The Pledge of Allegiance was led by Rep. Bowers.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Siegfried are spread upon the journal:

I am pleased this morning to introduce two basketball teams from Mid-America Nazarene University. The first team is the women’s team who are co-champions of the Heart of America Athletic Conference for 2007, winner of the Heart of America Conference Tournament, and a final four team at the NAIA Division II National Basketball Tournament in Sioux City, Iowa. Members of the team are: Aubrey Clair, Jessica Gray, Kim Meyers, Ashley Patterson, Jana Young, Dana Hanson, Jenna Matson, Taylor Ford, JoNel Henning, Laura Williams, Beth Keeley, Jenny Kirk and Bethany Rexroth. I would also like to introduce their head coach, Bill Olin and manager, Alicia Ellis.

The second team is the men’s basketball team who are the 2007 NAIA Division II national champions. They won the Heart of America Athletic Conference Championship and the Heart of America Conference Tournament and then won the national championship at Point Lookout., Missouri. Members of the team are Matt Clark, Jacob Nellor, Ryan Rundberg, AK Wour, Brody Bell, Adam Hepker, Cal Kiburz, Austin Boots, Danny Hawkins, Brady Small and Brenton Bell. I would also like to introduce their head coach, Rocky Lamar, assistant coach, Doug Rader, and managers Heidi Moore and Heidi Veld Husen.

Please join me in congratulating both teams for their accomplishments.

Rep. Siegfried presented each of them a House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2593, HB 2594.**

Federal and State Affairs: **HR 6018.**

CONSENT CALENDAR

No objection was made to **SB 109** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2587; Sub. SB 354** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2587, An act creating the wildlife and parks nonrestricted fund, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 1; Absent or not voting: 3.

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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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: Henderson.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed.

Sub. SB 354, An act concerning alcohol and drug addiction treatment; relating to regulations of treatment and treatment facilities therefor; relating to community alcoholism and intoxication program fund; amending K.S.A. 59-29b46, 65-4001, 65-4006, 65-4007, 65-4011, 65-4012, 65-4013, 65-4014, 65-4023 and 65-4024 and K.S.A. 2006 Supp. 74-7336 and repealing the existing sections; also repealing K.S.A. 65-4002, 65-4020, 65-4022, 65-4056, 65-4601, 65-4602, 65-4603, 65-4604, 65-4605, 65-4606, 65-4607, 65-4608, 65-4609, 65-4610 and 65-4611, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The substitute bill passed.

HB 2531, An act concerning the pharmacy act of the state of Kansas; amending K.S.A. 65-1627 and 65-1655 and K.S.A. 2006 Supp. 65-1626 and 65-1643 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Goico, Kiegerl, Judy Morrison.

The bill passed, as amended.

Sub. HB 2559, 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, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 23; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Burroughs, Carlin, Dillmore, Feuerborn, Frownfelter, Gatewood, Kuether, Lane, Long, Mah, Masterson, McLachlan, Otto, Phelps, Pottorff, Ruiz, Spalding, Tietze, Treaster, Ward, Winn, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The substitute bill passed.

HB 2578, An act enacting the utilization of unused medications act; duties of the state department of health and environment and the state, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

HR 6009, A resolution calling on the state bank commissioner to educate Kansas state chartered banks under the jurisdiction of the commissioner about the use of health savings accounts, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The resolution was adopted.

SB 8, An act regulating traffic; concerning idle reduction technology; relating to special permits; doubling speeding fines in school zones; amending K.S.A. 8-1911 and K.S.A. 2006 Supp. 8-2118 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 8-2118a, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

SB 9, An act regulating traffic; concerning video or television-type receiving equipment; amending K.S.A. 2006 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 8-1748 and K.S.A. 2006 Supp. 8-2118a, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 18; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colyer, Craft, Crum, Dahl, Davis, Donohoe, Faber, Faust-Goudeau, Flaharty, Fund, Garcia, Gatewood, George, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Humerickhouse, Johnson, Kelley, Kelsey, King, Kinzer, Knox, Kuether, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, 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, Trimmer, Vickrey, Ward, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Beamer, Brown, Colloton, Dillmore, Feuerborn, Flora, Frownfelter, Gordon, Horst, Huebert, Huntington, Landwehr, Lane, Mast, Masterson, Otto, Treaster, Watkins.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed, as amended.

H. Sub. for SB 14, An act concerning corrections; amending K.S.A. 75-5293 and 75-52,111 and K.S.A. 2006 Supp. 21-4706, 21-4722 and 22-3717 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 21; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Beamer, Brown, Brunk, Burgess, Carlson, Colyer, Davis, Goyle, Hodge, Huebert, King, Kinzer, Landwehr, Lane, Mast, Masterson, Patton, Peck, Rhoades, Watkins, Yoder.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The substitute bill passed.

SB 55, An act relating to the department of corrections; concerning work release and job training programs; disposition of compensation; amending K.S.A. 75-5268 and repealing the existing section, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

SB 67, An act concerning libraries; creating the state library of Kansas board and providing for the powers and duties thereof; abolishing the state library advisory commission and the Kansas library network board; amending K.S.A. 75-2546, 75-2548, 75-2549, 75-2549b, 75-2550, 75-2550a, 75-2552, 75-2576 and 75-2577 and K.S.A. 2006 Supp. 75-2551, 75-2562 and repealing the existing sections; also repealing K.S.A. 75-2578, 75-2579, 75-2580, 75-2581, 75-2582, 75-2583, 75-2584 and 75-2586, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Brown, Lukert, McKinney, Watkins, Wilk.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed, as amended.

H. Sub. for SB 103, An act concerning criminal procedure; relating to identifiers for alleged offenders; amending K.S.A. 21-2501 and K.S.A. 2006 Supp. 21-2511 and 75-724 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 21-2511a, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, King, Kinzer, Knox, Kuether, Landwehr, 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: Lane.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The substitute bill passed, as amended.

SB 104. An act concerning the board of nursing; membership thereon; amending K.S.A. 74-1106 and repealing the existing section, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

SB 105. An act concerning the board of nursing; amending K.S.A. 65-1117, 65-1132, 65-1155 and 65-4205 and repealing the existing sections, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed.

SB 106. An act concerning the practice of nursing; amending K.S.A. 65-1124 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 10; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Gordon, Goyle, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Humerickhouse, Huntington, Johnson, Kelsey, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, 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, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Beamer, Brown, Grange, Hodge, Huebert, Kelley, King, Kinzer, Masterson, Watkins.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed.

SB 146, An act relating to solid waste; concerning the waste tire management fund; amending K.S.A. 2006 Supp. 65-3424g and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Carlson, Feuerborn, Hayzlett, C. Holmes, Landwehr, Light, Moxley, Powell, Schwartz, Ward, Watkins, Wilk.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed, as amended.

SB 166, An act concerning crimes, punishments and criminal procedure; amending K.S.A. 2006 Supp. 21-3516, 21-4603d and 21-4643 and repealing the existing sections, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

SB 179, An act concerning mortuary arts; assistant funeral director's license; qualifications and examination; amending K.S.A. 65-1717 and 65-1727 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 40; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Bethell, Bowers, Burroughs, Carlin, Craft, Crum, Dahl, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huntington, Johnson, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Myers, Neighbor, Neufeld, O'Neal, Otto, Owens, Palmer, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Sharp, Shultz, Spalding, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Vickrey, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Worley.

Nays: Aurand, Beamer, Brown, Brunk, Burgess, Carlson, Colloton, Colyer, Donohoe, Faber, Gordon, Hodge, Huebert, Humerickhouse, Kelley, Kelsey, King, Kinzer, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Olson, Patton, Powers, Proehl, Schroeder, Schwartz, Siegfried, Sloan, Swanson, Tafanelli, Watkins, Whitham, Wilk, Yoder.

Present but not voting: None.

Absent or not voting: Crow, Goico, Kiegerl.

The bill passed.

SB 198. An act concerning taxation; relating to motor vehicles, providing for the issuance of breast cancer research and outreach license plates; homestead property tax refunds; school finance, tax revenue, exemption therefrom; amending K.S.A. 79-4509 and 79-4511 and K.S.A. 2006 Supp. 8-1,141, 72-6431, 79-201x, 79-4502 and 79-4504 and repealing the existing sections, was considered on final action.

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

Yeas: 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, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, 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, Goico, Kiegerl.

The bill passed, as amended.

SB 203. An act concerning criminal procedure; relating to appearance bonds; amending K.S.A. 22-2803 and K.S.A. 2006 Supp. 22-2802 and 22-2807 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 59; Nays 64; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Beamer, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colyer, Crum, Dahl, Davis, Donohoe, Faber, Frownfelter, Fund, George, Grange, Hayzlett, Hodge, C. Holmes, Horst, Huebert, Humerickhouse, Kelley, Kiegerl, Kinzer, Knox, Landwehr, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Peck, Proehl, Rhoades, Roth, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Swanson, Tafanelli, Vickrey, Ward, Watkins, Whitham, Wilk, B. Wolf, Yoder.

Nays: Ballard, Bethell, Bowers, Colloton, Craft, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Garcia, Gatewood, Gordon, Goyle, Grant, Hawk, Henderson, Henry, Hill,

Holland, M. Holmes, Huntington, Johnson, Kelsey, King, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Neighbor, Otto, Owens, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Rardin, Ruff, Ruiz, Sawyer, Sharp, Spalding, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Wetta, Williams, Winn, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The bill did not pass.

SB 204. An act concerning persons required to register pursuant to the Kansas offender registration act; relating to certain requirements; amending K.S.A. 2006 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907 and 22-4909 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 11; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flora, Frownfelter, Fund, Gatewood, George, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, 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, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, Yoder.

Nays: Colloton, Flaharty, Garcia, Huntington, Kuether, Lane, Owens, Roth, Storm, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The bill passed, as amended.

Sub. SB 208. An act concerning the insurance department; establishing the criminal anti-fraud division, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, 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: Burroughs, Kelley.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The substitute bill passed, as amended.

H. Sub. for SB 244. An act concerning the Kansas funeral privacy act; amending K.S.A. 21-4015 and 60-2102 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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, 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, Goico.

The substitute bill passed, as amended.

SB 271. An act concerning insurance; relating to certain forms and rate filings; amending K.S.A. 2006 Supp. 40-216 and 40-955 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 40-955a, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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, 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, Goico.

The bill passed, as amended.

SB 284. An act concerning the radiologic technologists practice act; amending K.S.A. 2006 Supp. 65-7305 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 65-7306, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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, 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, Treas-

ter, 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, Goico.

The bill passed, as amended.

SB 321. An act enacting the Fort Scott/Bourbon county riverfront authority act; creating a riverfront authority and prescribing the powers and duties thereof, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, 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, 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, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Brown, Powell, Watkins.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The bill passed, as amended.

SB 324. An act concerning certain crimes and punishments; relating to certain penalties; amending K.S.A. 17-1311a, 47-604 and 65-28,107 and repealing the existing sections; also repealing K.S.A. 66-276 and 75-7b19, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 21; Present but not voting: 0; Absent or not voting: 2.

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

Nays: Ballard, Carlin, Colloton, Davis, Faust-Goudeau, Flaharty, Garcia, Huntington, Lane, Loganbill, Neighbor, Owens, Peterson, Proehl, Rardin, Roth, Ruiz, Sharp, Sloan, Storm, K. Wolf.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The bill passed, as amended.

SB 360. An act concerning the state certified and licensed real property appraisers act; amending K.S.A. 58-4105, 58-4107, 58-4112 and 58-4119 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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, 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, Goico.

The bill passed.

SCR 1603, A concurrent resolution requesting the creation of two task forces, one to study the design and implementation of an electronic motor vehicle financial security verification system for real time verification of compliance with the financial security requirements of the Kansas automobile injury reparations act 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, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crum, Dahl, Davis, Donohoe, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, George, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Humerickhouse, Huntington, Johnson, Kelsey, Kiegerl, King, Knox, Kuether, Light, Loganbill, Long, Lukert, Mah, 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, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Beamer, Colyer, Dillmore, Faber, Gatewood, Gordon, Hodge, Huebert, Kelley, Kinzer, Landwehr, Lane, Mast, Watkins.

Present but not voting: None.

Absent or not voting: Crow, Goico.

The resolution was adopted, as amended.

SCR 1611, A concurrent resolution urging the United States Secretary of Agriculture to permit the use of land in the conservation reserve enhancement program for agricultural purposes, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

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, 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, Goico.

The resolution was adopted.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Shultz, Committee of the Whole report, as follows, was adopted: Recommended that **Sub. SB 334** be passed.

Sub. HB 2562; SB 351 be passed over and retain a place on the calendar.

Committee report recommending a substitute bill to **Sub. HB 2133** be adopted; and the substitute bill be passed.

Committee report to **SB 201** be adopted; and the bill be passed as amended.

Committee report to **SB 368** be adopted; and the bill be passed as amended.

Committee report to **HB 2548** be adopted; and the bill be passed as amended.

Committee report to **SB 129** be adopted; also, on motion of Rep. Peck to amend, Rep. Dillmore requested a ruling on the amendment being germane to the bill. The Rules Vice-Chair ruled the amendment germane. The question then reverted back to the motion of Rep. Peck.

Also, on motion of Rep. Grant to refer **SB 129** to Committee on Transportation, the motion did not prevail. The question then reverted back to the motion of Rep. Peck to amend on page 6, after line 33, by inserting the following:

“New Sec. 3. (a) From and after the effective date of this act, the Kansas department of revenue shall not enter into or renew any contract authorizing the renewal of Kansas drivers’ licenses at any office or other business location of any insurance producer who sells or is authorized to sell motor vehicle liability insurance in the state of Kansas.

(b) For the purposes of this section, the term “insurance producer” shall have the meaning ascribed to it in K.S.A. 2006 Supp. 40-4902 and amendments thereto.”;

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 12, after “ACT” by inserting “relating to the division of vehicles; relating to drivers’ licenses.”;

Roll call was demanded.

On roll call, the vote was: Yeas 60; Nays 61; Present but not voting: 0; Absent or not voting: 4.

Yeas: Beamer, Bowers, Brown, Brunk, Burgess, Carlin, Carlson, Colloton, Craft, Crum, Dahl, Donohoe, Faber, Fund, George, Gordon, Grange, Henry, Hodge, C. Holmes, M. Holmes, Huebert, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Light, Mah, Mast, Masterson, McLeland, Merrick, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, Olson, Otto, Patton, Peck, Powell, Powers, Proehl, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Svaty, Tafanelli, Treaster, Trimmer, Vickrey, Williams, B. Wolf, Worley.

Nays: Aurand, Ballard, Bethell, Burroughs, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Grant, Hawk, Hayzlett, Henderson, Hill, Holland, Humerickhouse, Huntington, Johnson, Kuether, Lane, Loganbill, Long, Lukert, McCray-Miller, McKinney, McLachlan, Menghini, Metsker, Neighbor, O’Neal, Owens, Palmer, Pauls, Peterson, Phelps, Pottorff, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Sloan, Spalding, Storm, Swanson, Swenson, Tietze, Ward, Watkins, Wetta, Whitham, Wilk, Winn, K. Wolf, Yoder.

Present but not voting: None.

Absent or not voting: Colyer, Crow, Goico, Horst.

The motion of Rep. Peck did not prevail, and **SB 129** be passed as amended.

Committee report recommending a substitute bill to **H. Sub. for SB 31** be adopted; also, on motion of Rep. Otto be amended on page 7, after line 40, by inserting the following:

“Sec. 3. K.S.A. 12-4415 is hereby amended to read as follows: 12-4415. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the city attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender of an alcohol related offense and if the defendant has previously participated in diversion, according to the certification of the division of vehicles of the state department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A city attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an alcohol related offense if the defendant:

- (1) Has previously participated in diversion of an alcohol related offense;
- (2) has previously been convicted of or pleaded *nolo contendere* to an alcohol related offense in this state or has previously been convicted of or pleaded *nolo contendere* to a violation of K.S.A. 8-1567 and amendments thereto or of a law of another state, or of a political subdivision thereof, which prohibits the acts prohibited by that statute; or
- (3) during the time of the alleged alcohol related offense was involved in a motor vehicle accident or collision resulting in personal injury or death.

(c) *A city attorney shall not knowingly and willingly enter into a diversion agreement in lieu of further criminal proceedings with an alien illegally within the territory of the United States.*”;

And by renumbering the remaining sections accordingly:

On page 8, after line 2, by inserting the following:

“Sec. 5. K.S.A. 2006 Supp. 22-2908 is hereby amended to read as follows: 22-2908. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the county or district attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender and if the defendant has previously participated in diversion, according to the certification of the Kansas bureau of investigation or the division of vehicles of the department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A county or district attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint if:

- (1) The complaint alleges a violation of K.S.A. 8-1567 and amendments thereto and the defendant: (A) Has previously participated in diversion upon a complaint alleging a violation of that statute or an ordinance of a city in this state which prohibits the acts prohibited by that statute; (B) has previously been convicted of or pleaded *nolo contendere* to a violation of that statute or a violation of a law of another state or of a political subdivision of this or

any other state, which law prohibits the acts prohibited by that statute; or (C) during the time of the alleged violation was involved in a motor vehicle accident or collision resulting in personal injury or death; or

(2) the complaint alleges that the defendant committed a class A or B felony or for crimes committed on or after July 1, 1993, an off-grid crime, a severity level 1, 2 or 3 felony for nondrug crimes or drug severity level 1 or 2 felony for drug crimes.

(c) A county or district attorney may enter into a diversion agreement in lieu of further criminal proceedings on a complaint for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, if such diversion carries the same penalties as the conviction for the corresponding violations. If the defendant has previously participated in one or more diversions for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, then each subsequent diversion shall carry the same penalties as the conviction for the corresponding violations.

(d) *A county or district attorney shall not knowingly and willingly enter into a diversion agreement in lieu of further criminal proceedings with an alien illegally within the territory of the United States.*”;

And by renumbering the remaining sections accordingly;

Also on page 8, in line 3, after “12-4104” by inserting “, 12-4415”; also in line 3, after “8-1567” by inserting “and 22-2908”;

On page 1, in the title, in line 9, by striking “municipal courts; relating to jurisdiction” and inserting “crimes, criminal procedure and punishment”; in line 10, after “12-4104” by inserting “, 12-4415”; also in line 10, after “8-1567” by inserting “and 22-2908”; and **H. Sub. for SB 31** be passed as amended.

Committee report to **HB 2576** be adopted; also, roll call was demanded on motion to recommend the bill favorably for passage.

On roll call, the vote was: Yeas 43; Nays 67; Present but not voting: 0; Absent or not voting: 15.

Yeas: Beamer, Bethell, Bowers, Brunk, Dahl, Donohoe, Faber, Fund, George, Gordon, Hawk, Hayzlett, Henderson, Hodge, C. Holmes, Huebert, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Mast, Masterson, McLeland, Merrick, Jim Morrison, Moxley, Myers, Neufeld, O’Neal, Otto, Patton, Pauls, Powell, Powers, Rhoades, Schwartz, Sharp, Sloan, Tafanelli, Vickrey, Whitham, B. Wolf.

Nays: Ballard, Brown, Burgess, Burroughs, Carlin, Carlson, Craft, Crum, Davis, Dillmore, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Grange, Grant, Henry, Holland, Horst, Humerickhouse, Huntington, Johnson, King, Kuether, Lane, Light, Long, Lukert, Mah, McKinney, McLachlan, Menghini, Metsker, Judy Morrison, Olson, Owens, Palmer, Peck, Peterson, Phelps, Pottorff, Proehl, Rardin, Ruff, Ruiz, Sawyer, Schroeder, Shultz, Siegfried, Spalding, Storm, Svaty, Swanson, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Wilk, Williams, Winn, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Aurand, Colloton, Colyer, Crow, Faust-Goudeau, Goico, Hill, M. Holmes, Landwehr, Loganbill, McCray-Miller, Neighbor, Roth, Watkins, Yoder.

The motion to recommend **HB 2576** favorably for passage did not prevail.

Committee report to **HB 2367** be adopted; also, on motion of Rep. Kinzer be amended on page 1, in line 35, by striking all after “or”; in line 36, by striking all before the comma and inserting “lawful presence in the United States as provided in 8 U.S.C.A. 1101 et seq.”; in line 37, by striking all after “benefits”;

Also, roll call was demanded on motion of Rep. Holland to amend **HB 2367** on page 1, in line 15, before “Section” by inserting “New”;

On page 2, in line 20, before “Sec.” by inserting “New”;

On page 3, in line 19, before “Sec.” by inserting “New”;

On page 4, in line 8, before “Sec.” by inserting “New”; in line 19, before “Sec.” by inserting “New”; in line 38, before “Sec.” by inserting “New”; in line 41, before “Sec.” by inserting “New”;

On page 5, after line 1, by inserting the following:

“Sec. 8. K.S.A. 21-4409 is hereby amended to read as follows: 21-4409. (a) Knowingly employing an alien illegally within the territory of the United States is the employment of

such alien within the state of Kansas by an employer who knows such person to be illegally within the territory of the United States. The provisions of this section shall not apply to aliens who have entered the United States illegally and thereafter are permitted to remain within the United States, temporarily or permanently, pursuant to federal law.

(b) Knowingly employing an alien illegally within the territory of the United States is a class C nonperson misdemeanor. *On the second or subsequent conviction of a violation of this section, in addition to any other sentence imposed, a person shall be fined \$10,000.*

(c) *As used in this section, "employment" shall include subcontractors' employees if the employer of the subcontractor has knowledge that the subcontractor is employing persons or subcontracting with persons who are illegally within the territory of the United States.*

Sec. 9. K.S.A. 2006 Supp. 21-4503a is hereby amended to read as follows: 21-4503a. (a) A person who has been convicted of a felony may, in addition to the sentence authorized by law, be ordered to pay a fine which shall be fixed by the court as follows:

(1) For any off-grid felony crime or any felony ranked in severity level 1 of the drug grid as provided in K.S.A. 21-4705 and amendments thereto, a sum not exceeding \$500,000.

(2) For any felony ranked in severity levels 1 through 5 of the nondrug grid as provided in K.S.A. 21-4704 and amendments thereto or in severity levels 2 or 3 of the drug grid as provided in K.S.A. 21-4705 and amendments thereto, a sum not exceeding \$300,000.

(3) For any felony ranked in severity levels 6 through 10 of the nondrug grid as provided in K.S.A. 21-4704 and amendments thereto or in severity level 4 of the drug grid as provided in K.S.A. 21-4705 and amendments thereto, a sum not exceeding \$100,000.

(b) *Except as otherwise provided in statute*, a person who has been convicted of a misdemeanor, in addition to or instead of the imprisonment authorized by law, may be sentenced to pay a fine which shall be fixed by the court as follows:

(1) For a class A misdemeanor, a sum not exceeding \$2,500.

(2) For a class B misdemeanor, a sum not exceeding \$1,000.

(3) For a class C misdemeanor, a sum not exceeding \$500.

(4) For an unclassified misdemeanor, any sum authorized by the statute that defines the crime. If no penalty is provided in such law, the fine shall not exceed the fine provided herein for a class C misdemeanor.

(c) As an alternative to any of the above fines, the fine imposed may be fixed at any greater sum not exceeding double the pecuniary gain derived from the crime by the offender.

(d) A person who has been convicted of a traffic infraction may be sentenced to pay a fine which shall be fixed by the court, not exceeding \$500.

(e) A person who has been convicted of a cigarette or tobacco infraction shall be sentenced to pay a fine of \$25.

(f) The provisions of this section shall apply to crimes committed on or after July 1, 1993.

Sec. 10. K.S.A. 21-4409 and K.S.A. 2006 Supp. 21-4503a are hereby repealed.;

And by renumbering the remaining section accordingly;

On page 1, in the title, in line 12, before the period by inserting "; amending K.S.A. 21-4409 and K.S.A. 2006 Supp. 21-4503a and repealing the existing sections";

On roll call, the vote was: Yeas 105; Nays 14; Present but not voting: 0; Absent or not voting: 6.

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

Nays: Garcia, George, Henderson, Johnson, Light, Moxley, Neufeld, Owens, Powell, Ruiz, Sawyer, Schwartz, Sharp, Whitham.

Present but not voting: None.

Absent or not voting: Colyer, Crow, Goico, Gordon, Landwehr, Yoder.

The motion of Rep. Holland prevailed.

Also, roll call was demanded on further motion of Rep. Holland to amend **HB 2367** on page 5, after line 1, by inserting the following:

“New Sec. 8. (a) On the first day of the first pay period chargeable to the fiscal year ending June 30, 2008, there are hereby established two full-time equivalent positions within the department of labor. Each employee appointed to such positions shall be assigned to assist in the administration and enforcement of the classification of persons as employees or as independent contractors.

(b) The two full-time equivalent positions established by this section shall be in addition to the number of full-time equivalent positions otherwise authorized or established by law for the department of labor on June 16, 2007.”;

And by renumbering the remaining section accordingly;

On roll call, the vote was: Yeas 55; Nays 64; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Burroughs, Carlin, Crum, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Holland, Horst, Huebert, Kinzer, Knox, Kuether, Lane, Loganbill, Long, Lukert, Mah, Mast, McCray-Miller, McKinney, McLachlan, Menghini, Neighbor, Otto, Palmer, Pauls, Peterson, Phelps, Rardin, Roth, Ruff, Ruiz, Sawyer, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Williams, Winn.

Nays: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colloton, Craft, Dahl, Donohoe, Faber, Fund, George, Grange, Hayzlett, Hill, Hodge, C. Holmes, M. Holmes, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Light, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O’Neal, Olson, Owens, Patton, Peck, Pottorff, Powell, Powers, Proehl, Rhoades, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Swanson, Tafanelli, Vickrey, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Colyer, Crow, Goico, Gordon, Landwehr, Watkins.

The motion of Rep. Holland did not prevail.

Also, on motion of Rep. Treaster to refer **HB 2367** to Committee on Judiciary, roll call was demanded.

On roll call, the vote was: Yeas 65; Nays 56; 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, Horst, Humerickhouse, Huntington, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Metsker, Moxley, Neighbor, Owens, Palmer, Pauls, Peterson, Phelps, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Sharp, Sloan, Spalding, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Whitham, Williams, Winn, K. Wolf, Worley.

Nays: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Crum, Dahl, Donohoe, Faber, Fund, George, Grange, Hayzlett, Hodge, Holland, C. Holmes, M. Holmes, Huebert, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Mast, Masterson, McLeland, Merrick, Jim Morrison, Judy Morrison, Myers, Neufeld, O’Neal, Olson, Otto, Patton, Peck, Pottorff, Powell, Powers, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Swanson, Tafanelli, Vickrey, Watkins, Wilk, B. Wolf, Yoder.

Present but not voting: None.

Absent or not voting: Colyer, Crow, Goico, Gordon.

The motion of Rep. Treaster prevailed, and **HB 2367** be referred to Committee on Judiciary.

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 2595, An act concerning political contributions by persons involved in gaming, by Committee on Federal and State Affairs.

MESSAGE FROM THE SENATE

Announcing passage of **SB 32, SB 346, SB 363, SB 381, SB 384, SB 385**.

Announcing passage of **HB 2159**.

Announcing passage of **HB 2058**, as amended; **HB 2073**, as amended; **HB 2393**, as amended; **HB 2437**, as amended by **S. Sub. for HB 2437**; **HB 2476**, as amended by **S. Sub. for HB 2476**; **HB 2528**, as amended; **HB 2539**, as amended; **HB 2561**, as amended.

The Senate adopts conference committee report on **S. Sub. for HB 2295**.

The Senate adopts conference committee report on **HB 2314**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 32, SB 346, SB 363, SB 381, SB 384, SB 385.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6019—

By Representatives Lukert and Williams

A RESOLUTION requiring the attorney general to bring action to determine certain issues of law concerning unborn children and to seek a permanent injunction to prohibit the expenditure of state funds for the purpose of terminating the lives of innocent human beings including the unborn whether in utero or ex utero.

WHEREAS, The constitution of Kansas provides for the basic organization of state government, defines and limits the powers of the state and guarantees certain fundamental rights to all men; and

WHEREAS, The Bill of Rights of the constitution is a declaration of the basic rights of all men that may not be denied or infringed upon by the state or any local government; and

WHEREAS, Section one of the Bill of Rights of the constitution of Kansas states that “All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.” The right to life, logically enumerated first, is the basic, most fundamental right without which all others are meaningless; and

WHEREAS, The term “men” is accepted to include adult males, women and children, in other words all human beings [see *Ex Parte Dunkerton*, 104 Kan. 481, 179 P.347 (1919); *Pauley v. Gross*, 1 Kan. App.2d 736, 574 P.2d 234 (1977); and *In re Gordon’s Estate*, 183 Kan. 238, 246, 326 P.2d 264,270 (1958)]; and

WHEREAS, In 1854 the first territorial legislature enacted three laws that protected preborn children. All three laws were again enacted by the first state legislature in 1861. The first of these made it a misdemeanor to commit the act of abortion unless it was necessary to preserve the mother’s life. One made the willful killing of an unborn quick child by injury to the mother manslaughter in the first degree. The third prescribed a penalty of manslaughter in the second degree for merely attempting an abortion after “quickening”. It was presumed that quickening was the only way to prove that a child was alive in the womb; and

WHEREAS, All medical and scientific evidence now acknowledges and affirms that children before birth share all the basic attributes of human personality—that they in fact are identifiable individual human beings; the unborn child is considered a person for purposes of qualifying for medical care under the federal medicaid program; modern medicine treats unborn children as patients; through ultrasound imaging and other techniques we can see the child’s amazing development; by using DNA profiling, before birth, indeed, even before the new being is implanted in her mother’s womb, we can be absolutely sure we are mon-

itoring the same individual from conception/fertilization through the various stages of growth; and

WHEREAS, The state of Kansas acknowledges that a human being exists before birth by requiring the postponement of the execution of a pregnant convict “until the child is born.” [K.S.A. 22-4009 (b)]; and

WHEREAS, The House of Representatives of The State of Kansas did acknowledge during the 2005 legislative session that an unborn child is in existence at any stage of development from conception/fertilization and that this unborn child is a person and/or a human being as used in the Kansas criminal code. [HB 2300, the unborn victims of violence act, passed by a vote of 85 in favor with 38 against. (House Journal 3-24-2005)]; and

WHEREAS, The Kansas Supreme Court acknowledged in *Smith v. Deppish*, 248 Kan. 217, 231 (1991) that “we humans create human offspring by transferring our DNA to our children” and that this is done “during reproduction...,” also known biologically as fertilization or conception, or both. The court further acknowledged in *Smith v. Deppish*, 248 Kan. 217, 232 (1991) that “each person’s” DNA can be “individualized”; and

WHEREAS, A controversy now exists when the state of Kansas expends state funds for the purpose of terminating the lives of preborn human beings. Through the use of matching funds in, and the administration of, the medicaid and healthwave programs and the use of state funds to finance the major portion of the premiums for state employees health care many of which pay for the termination of the lives of innocent human beings, the state has become a direct party in violating section 1 of the Bill of Rights of the constitution of Kansas; and

WHEREAS, This matter involves issues of law which have never been resolved by the courts of the state of Kansas except to the extent questions have been raised in the Kansas Supreme Court by *City of Wichita vs. Elizabeth A. Tilson*, 253 Kan. 285 (1991) and *State v. Kleypas*, 272 Kan. 894, 1051-52, 40 P.3d 139, 253 (2001): Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That, based on undeniable medical, biological and scientific facts, we do hereby acknowledge and affirm that the unborn children in the state of Kansas have an equal and inalienable right to life from conception/fertilization and that allowing and expending state funds for the termination of the lives of innocent human beings even before birth violates section 1 of the Bill of Rights of the Kansas Constitution; and

Be it further resolved: That in accordance with K.S.A. 75-702, and amendments thereto, the attorney general of the state of Kansas no later than 90 days from passage of this resolution, it hereby required to begin proceedings to seek resolution of this issue in the supreme court of the state of Kansas and to prosecute the case vigorously; the attorney general is further directed to bring action in mandamus and quo warranto against the governor as chief executive officer of the state and the secretary of the Kansas Department of Administration and the director of the Division of Health Policy and Finance as administrative officers of health programs in Kansas for the granting of a prospective permanent injunction barring the defendants from expending state funds for the purpose of paying for the termination of the lives of innocent human beings, whether in utero or ex utero; and the attorney general is further directed and ordered to plead to the court that upon conception/fertilization there is life, that this life is that of a human being and to further plead to the court to acknowledge and affirm that this human being is an “individual”, a “man” under the constitution of the state of Kansas. The most recent medical, biological and scientific facts and developments, especially those concerning the beginning of life and the incontestable reliance on DNA profiling as a positive means of identification, must be presented to the court in support of the above mentioned plea.

On motion of Rep. Merrick, the House recessed until 3:00 p.m.

AFTERNOON SESSION

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

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2421; SB 262, SB 302; HB 2529; SB 355; Sub. SB 325** be passed.

H. Sub. for SB 11; SB 292; Sub. SB 89; HB 2077; SB 327; HB 2299; Sub. SB 152 be passed over and retain a place on the calendar.

Committee report to **HB 2412** be adopted; also, on motion of Rep. O'Neal to amend, the motion did not prevail.

Also, on further motion of Rep. O'Neal, **HB 2412** be amended on page 8, by striking all in lines 40 through 43;

On page 9, by striking all in lines 1 through 12;

And by renumbering the remaining sections accordingly; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2562** be adopted; also, on motion of Rep. Ruff be amended on page 3, in line 22, by striking all following the period; by striking all in lines 23 and 24;

Also, on further motion of Rep. Ruff, **Sub. HB 2562** be amended on page 1, in line 40, preceding "military" by inserting "active";

On page 3, in line 7, by striking "at"; in line 8, by striking all preceding "post"; in line 31, by striking "without benefits"; in line 40, by striking "an" and inserting "a city or county"; also in line 40 following "position" by inserting "or a department or agency head, or an individual serving as the immediate subordinate, secretary or administrative assistant of a person holding such position;"; also in line 40, preceding "non-classified" by inserting "state"; in line 41, by striking "or" where it appears for the second time, and inserting a comma; also in line 41, following "department" by inserting "or agency"; in line 43, following "ficer" by inserting a comma; and **Sub. HB 2562** be passed as amended.

Committee report to **SB 138** be adopted; also, on motion of Rep. Trimmer be amended on page 2, in line 13, following the semicolon by inserting "and"; in line 14, by striking all following "(8)"; by striking all in line 15; in line 16, by striking "(9)"; and **SB 138** be passed as amended.

Committee report to **HB 2590** be adopted; and the bill be passed as amended.

Committee report to **HB 2341** be adopted; and the bill be passed as amended.

Committee report to **SB 333** be adopted; also, on motion of Rep. Huntington to amend, the motion did not prevail, and the bill be passed as amended.

Committee report to **SB 115** be adopted; and the bill be passed as amended.

Committee report to **SB 34** be adopted; and the bill be passed as amended.

On motion of Rep. Shultz, **SB 112** be amended on page 3, before line 1, by inserting the following:

"Sec. 2. K.S.A. 10-106 is hereby amended to read as follows: 10-106. (a) Municipal bonds shall be sold at public notice sale as follows: The officers having charge of the sale of the bonds shall publish a notice of the sale one time in a newspaper having general circulation in the county where the bonds are issued and in the Kansas register. Such notices shall be published not less than six days nor more than 30 days before the sale and shall contain the following information: (1) Except as provided by subsection (b), the date, time and place at which a public notice auction will be held on such terms and conditions as shall be provided by the municipality or at which bids will be received and considered for the sale of the bonds for cash at such price as the municipality may accept; (2) the date of issue, total par value and denomination of the bonds being sold; (3) the dates and amounts of maturities of the bond issues; (4) the dates on which interest on the bonds shall become due and payable; (5) the place or places where and the approximate date on which the bonds being sold will be delivered to the purchaser; (6) a statement that a good faith deposit in the form of a certified or cashier's check or surety bond in the amount of 2% of the total par value of the bonds being sold shall be furnished at or prior to the time of sale by each bidder; (7) a statement disclosing whether or not the purchaser of the bonds will be required to pay

for the printing thereof and whether or not and to what extent the purchaser of the bonds will be required to pay the expense of legal services rendered to the municipality in connection with the issuance of the bonds including the fees of recognized bond counsel for an opinion as to legality of issuance; (8) the assessed valuation of the municipality; (9) that bidders may be required to be qualified in a manner established by the municipality before submitting a bid; and (10) the total bonded indebtedness of the municipality as of the date on which the bonds being sold are dated including the bonds submitted for bid. The rate of interest may be omitted in advertising and the bidders requested to specify the lowest interest rate or rates on the bonds at which they will pay the purchase price.

(b) If sold at public notice sale, purchasers shall submit their bids in writing, sealed or sent by telefacsimile or other electronic transmission, as set forth in the notice of sale, for all or any part of the bonds. In case any purchaser, whose bid is accepted, fails to carry out the contract, the deposit shall be forfeited to the municipality issuing the bonds. Bids shall be disclosed publicly and tabulated or compared only at the time and place specified in the notice. At the time and place specified, the bonds shall be sold to the highest and best bidder or bidders, and the bonds may be allotted among the bidders, however, any or all bids may be rejected. No contract for the sale of the bonds shall be made except on bids submitted as provided in this section. No bonds shall be delivered to any purchaser until the amount of the bid is placed in the hands of the officer in charge of the sale. The provisions of this section relating to public notice sale of bonds shall not apply to bonds ~~secured~~: (1) Secured solely and only by revenues, (2) bonds sold, pursuant to written agreement, to the government of the United States of America or any bureau, department, instrumentality or agency thereof, (3) bonds issued pursuant to K.S.A. 10-427 et seq., and amendments thereto, ~~and~~ ~~(4)~~ all bonds of the same series or which are issued simultaneously with such bonds ~~and~~, and (5) bond sales where the total amount of the issue does not exceed ~~\$100,000~~ \$2,000,000. In such cases, the bonds may be sold at public notice or private sale as the officers having charge of the sale of such bonds determine. *If bonds under clause (5) are sold at private sale, the officers having charge of the sale of such bonds shall publish within 14 business days following such sale, a notice of the sale one time in a newspaper having general circulation in the county where the bonds are issued and in the Kansas register. Such notice shall contain the name of the purchaser, the total par value, the interest rate and the amount paid.* The practice of providing more than one issue within a twelve-month period for any one project is prohibited unless the project engineer or architect certifies that it is necessary to do so for the orderly construction progress of the project.

~~(b)~~ (c) As an alternative to providing notice of the date, time and place of public notice auction or receipt of bids provided by subsection (a)(1), the officers having charge of a bond sale may establish a time period of not less than seven nor more than 30 days during which such bonds would be sold. Notice of such sale period shall be published one time in a newspaper having general circulation in the county where the bonds are issued and in the Kansas register and shall be published not less than six days nor more than 30 days before the beginning date of the sale period. The notice shall contain the information specified in subsection (a) except that in place of the time and date of sale, the notice shall specify the time period during which the bonds would be sold and the manner in which persons interested in submitting a bid may register for notice of the bond sale. At least three business days prior to the time and date of the bond sale, the officers having charge of the sale shall give notice to all persons having registered for notice of the bond sale, and bids shall be submitted and received and the sale made in the manner provided in subsection (a).;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 1, before "K.S.A." by inserting "K.S.A. 10-106 and"; also in line 1, by striking "is" and inserting "are";

On page 1, in the title, in line 10, after the semicolon, by inserting "relating to the issuance of certain bonds;"; also in line 10, before "K.S.A." by inserting "K.S.A. 10-106 and"; in line 11, by striking "section" and inserting "sections"; and **SB 112** be passed as amended.

Having voted on the prevailing side, Rep. Horst offered a motion, pursuant to House Rule 2303, that the House reconsider its action in adoption of the Committee of the Whole Report (see Morning Session) in referring **HB 2367** to Committee on Judiciary. Roll call was demanded.

On roll call, the vote was: Yeas 57; Nays 63; Present but not voting: 0; Absent or not voting: 5.

Yeas: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Crum, Dahl, Donohoe, Faber, Fund, George, Gordon, Grange, Hayzlett, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Mast, Masterson, McLeland, Merrick, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Neal, Olson, Otto, Patton, Peck, Powell, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Tafanelli, Vickrey, Watkins, Whitham, B. Wolf, Yoder.

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

Present but not voting: None.

Absent or not voting: Crow, Goico, Peterson, Powers, Swenson.

The motion of Rep. Horst did not prevail, and **HB 2367** remains in Committee on Judiciary.

Committee report to **HB 2144** be adopted; and the bill be passed as amended.

Committee report to **HB 2434** be adopted; also, on motion of Rep. Grange be amended on page 2, after line 30, by inserting:

“Sec. 2. K.S.A. 2006 Supp. 79-306e is hereby amended to read as follows: 79-306e. (a) The value for property tax purposes of any vessel, as defined by K.S.A. 32-1102, and amendments thereto, which is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to K.S.A. 79-503a, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction the numerator of which is the number of months, or major portion thereof, such vessel was owned by the record owner thereof during the taxable year in which such vessel was sold, and the denominator of which is 12; and (2) in the case of an acquisition, a fraction the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof, and the denominator of which is 12.

(b) *On or after July 1, 2007*, notice of the acquisition or sale of any such vessel shall be provided by the record owner thereof to the appropriate county appraiser ~~within 30 days after~~ *on or before December 20 of the year of* such acquisition or sale. Upon receipt of such notice, and after computation of the value of any such vessel in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) Vessels acquired after September 1 of a taxable year shall not be subject to assessment and taxation for such year, except as provided by paragraph (1) of subsection (a).

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2002.

Sec. 3. K.S.A. 2006 Supp. 79-306e is hereby repealed.”; And by renumbering sections accordingly;

On page 1, in the title, in line 12, after “provisions” by inserting “; valuation of vessels; amending K.S.A. 2006 Supp. 79-306e and repealing the existing section”; and **HB 2434** be passed as amended.

Committee report to **HB 2464** be adopted; and the bill be passed as amended.

Committee report to **SB 351** be adopted; also, on motion of Rep. Davis be amended on page 2, in line 20, after “(h)” by inserting “Except as provided in subsection (j),”; in line 34, after “board” by striking the comma and inserting “and”; in line 35, by striking “and state board of tax appeals”; in line 36, by striking “state”; in line 37, by striking all before “state”;

On page 5, after line 6, by inserting the following:

“(j) Except as provided in K.S.A. 77-551, and amendments thereto, the provisions of this section shall not apply to the state board of tax appeals and the state corporation commission.”;

On page 9, in line 14, after “(b)” by inserting “(1)”; after line 18, by inserting the following:

“(2) Notwithstanding any other provision of law to the contrary, in all hearings of the state board of tax appeals and the state corporation commission that are required to be conducted in accordance with the provisions of the Kansas administrative procedure act, the presiding officer shall be the agency head or one or more members of the agency head. If the agency head or one or members of the agency head is not the presiding officer, an officer assigned by the office of administrative hearings shall serve as the presiding officer.”; and **SB 351** be passed as amended.

Committee report to **SB 68** be adopted; also, roll call was demanded on motion of Rep. Gordon to amend on page 8, following line 22, by inserting the following:

“New Sec. 5. (a) The joint committee on school district accounting is hereby established and shall be composed of 11 members, six of whom shall be members of the house of representatives and five of whom shall be senators. Of the members appointed from the senate, three shall be appointed by the president of the senate and two shall be appointed by the minority leader of the senate. Of the members appointed from the house of representatives, four shall be appointed by the speaker of the house of representatives and two by the minority leader of the house of representatives. Such members shall be selected only from the membership of the standing committees on education, education budget, ways and means and appropriations and the joint committee on information technology.

(b) The committee shall meet, discuss and hold hearings to consider:

(1) The development and maintenance of a centralized accounting and reporting system of the receipts and expenditures of school districts. Any such accounting system shall be in accordance with accepted principles of governmental (fund) accounting and shall include both budgetary and proprietary (real) accounts and also shall:

(A) Require that accounting records maintained by each school district shall be coordinated with the centralized accounting system;

(B) provide that each school district has remote access to the system in order to directly input and report the receipts and expenditures of the district;

(C) require that each school district record the receipts and expenditures of the district in accordance with a uniform classification of accounts or chart of accounts and reports;

(D) allow school districts to record and report any information required by state or federal law;

(E) be developed in such manner that it shows expenditures for each attendance center in a school district;

(F) require that the records of school districts show at all times by funds, accounts and other pertinent classifications, the amounts appropriated, the estimated revenues, actual revenues or receipts, the amounts available for expenditure, the total expenditures, the unliquidated obligations, actual balances on hand and the unencumbered balances of allotments or appropriations for each school district; and

(G) provide that the accounting system be a centrally-maintained internet-based system which is freely available and accessible and that the accounting system allows a person to search and manipulate the data and allows for the comparison of data on a district by district basis and by attendance centers within a school district;

(2) the development of a standardized system of recording and reporting school district accounting transactions. Such record and reporting system shall:

(A) Require school districts to record financial transactions in the district’s accounting system;

(B) require school districts to report financial transactions to the state board of education either electronically or through an internet-based reporting system;

(3) the development of a standardized system of reporting accounting transactions to the state board of education that does not require a standardized system of recording accounting transactions. Such reporting system shall require the state board of education to adopt a uniform chart of accounts for school districts to use in reporting accounting transactions, but does not require districts to record financial information in the same categories;

(4) the development of recommendations to improve the existing system of recording and reporting school district accounting transactions; and

(5) other topics relating to school district accounting which the committee deems appropriate.

(c) The committee may meet at any time and at any place within the state on the call of the chairperson. A quorum of the committee shall be six voting members. All actions of the committee shall be by motion adopted by a majority of those members present when there is a quorum.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the committee.

(e) The staff of the office of the revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the committee. Upon request of the committee, the state board of education and the center for innovative school leadership established pursuant to K.S.A. 2006 Supp. 76-767, and amendments thereto, shall provide consultants and assistance when requested by the committee. In addition and upon the request of the committee, the state board of education and school districts shall provide any information and supporting documentation related thereto.

(f) Members of the committee attending regular or special meetings or subcommittee meetings authorized by the committee, shall be paid amounts for expenses, mileage and subsistence as provided in subsection (e) of K.S.A. 75-3223, and amendments thereto. Expenses for the committee shall be part of the budget of the legislative coordinating council and shall be subject to the council's approval.

(g) On or before January 14, 2008, the committee shall submit to the legislature a report of its activities and recommendations adopted by the committee. Such report shall include recommendations for legislative changes which are necessary to implement the recommendations of the committee.

(h) The provisions of this section shall expire on June 30, 2008.”;

By renumbering the remaining sections accordingly;

In the title, in line 12, preceding “relating” by inserting “relating to school district accounting systems.”;

On roll call, the vote was: Yeas 50; Nays 66; Present but not voting: 0; Absent or not voting: 9.

Yeas: Beamer, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Crum, Dahl, Donohoe, Faber, Fund, George, Gordon, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Landwehr, Mah, Mast, Masterson, McLeland, Merrick, Judy Morrison, Myers, Neufeld, O’Neal, Olson, Patton, Peck, Powell, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Tafanelli, Vickrey, Watkins, Wilk, Yoder.

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

Present but not voting: None.

Absent or not voting: Bethell, Crow, Dillmore, Flora, Goico, Huntington, Peterson, Powers, Swenson.

The motion of Rep. Gordon did not prevail, and **SB 68** be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to House Rule 2306, the following bills were withdrawn from the calendar under the heading General Orders and referred to committee as indicated:

Appropriations: **H. Sub. for SB 11; Sub. SB 89.**

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2547** be amended on page 2, in line 4, following “institution” by inserting “or the Kansas development finance authority”; in line

17, by striking "Subject to the provisions of appropriations acts, the" and inserting "The"; in line 19, preceding "and" by inserting "the Kansas development finance authority"; in line 22, following the period by inserting "Except as provided in section 6, and amendments thereto, for payment for a loan guarantee for which the primary care safety net clinic loan guarantee fund is liable, no claim against the state under this act shall be paid by the state, the secretary of health and environment or any other state agency other than pursuant to an appropriation act of the legislature after such claim has been filed with and considered by the joint committee on special claims against the state."; in line 34, by striking "shall" where it appears the second time and inserting "may"; in line 36, by striking "rules and regulations" and inserting "loan guarantee agreement with the secretary"; in line 37, by striking all following "financial"; in line 38, by striking all preceding "that" and inserting "standards"; in line 41, following the period by inserting "The secretary may impose fees and charges as may be necessary to recover costs incurred for the administration of this act.";

On page 3, in line 15, by striking ", including accrued interest,"; in line 16, by striking "\$25,000,000" and inserting "\$15,000,000"; in line 36, by striking all following "secretary" and inserting "who is"; in line 38, by striking "from among a list of persons" and inserting "who is"; in line 40, by striking "from among a list of persons" and inserting "who is";

On page 4, in line 31, preceding the period by inserting "and to pay for the administrative costs associated with the act as may be certified by the secretary"; in line 35, following "All" by inserting "fees and charges imposed by the secretary and other"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 144** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 144," as follows:

"HOUSE Substitute for SENATE BILL No. 144

By Committee on Taxation

"AN ACT concerning veterans; relating to veterans claims assistance program and service grant program; providing for a performance audit; amending K.S.A. 2006 Supp. 73-1234 and repealing the existing section."; and the substitute bill be passed.

(**H. Sub. for SB 144** 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 2596, An act concerning the department of social and rehabilitation services; relating to state developmental disabilities institutions; relating to the closure thereof, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6020—

By Committee on Appropriations

A RESOLUTION opposing closure of United States Department of Agriculture Farm Service and Natural Resources Conservation Service offices in 11 counties.

WHEREAS, Kansas has a strong agricultural tradition that predates its statehood, and agriculture is a significant contributor to the state's economic well-being; and

WHEREAS, Cash receipts in 2005 for farm marketing in Kansas totaled \$9.9 billion, which is 4.2% of total cash receipts for farm marketing in the United States, placing Kansas sixth in the nation, according to the Kansas Department of Agriculture; and

WHEREAS, Closure of these offices by the United States Department of Agriculture contradicts two of the Department's primary missions which are to help revitalize rural America and help farmers produce a safe and abundant food supply; and

WHEREAS, Kansas farmers have had an integral part in producing the safest, most abundant food supply in the world; and

WHEREAS, Kansas produces more wheat and grain sorghum than any other state in the nation; and

WHEREAS, Kansas grown foods contribute to the health and well-being of people worldwide; and

WHEREAS, Kansas ranks seventh in farm products exports, which were \$2.7 billion in 2005; and

WHEREAS, One out of every five Kansans is employed in a job related to farming or food production; and

WHEREAS, Agriculture provides ingredients for products used in transportation, energy, healthcare, construction, manufacturing, printing, personal care, education and sports: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the House of Representatives is opposed to the closure of the United States Department of Agriculture Farm Service and Natural Resources Conservation Service offices in 11 Kansas counties; those counties being Morton, Gove, Comanche, Barber, Geary, Wabaunsee, Chase, Elk, Woodson, Leavenworth and Johnson; and

Be it further resolved: That Kansas is a vast geographical state containing 82,282 square miles, ranking 15th in geographic size in the nation, thus, close proximity for agricultural producers to United States Department of Agriculture offices is vitally important and closure of these offices will negatively impact rural counties already economically challenged to maintain population, employment and quality of life; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to the President of the United States, the Secretary of the United States Department of Agriculture, the Chairman of the House Committee on Agriculture, the Chairman of the Agriculture, Nutrition and Forestry Committee of the United State Senate and the Kansas Congressional Delegation.

REPORT ON ENGROSSED BILLS

HB 2531, HB 2548 reported correctly engrossed March 27, 2007.

REPORT ON ENROLLED BILLS

HB 2087, HB 2475 reported correctly enrolled, properly signed and presented to the governor on March 27, 2007.

On motion of Rep. Merrick, the House adjourned until 10:00 a.m., Wednesday, March 28, 2007.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

