

Journal of the House

TWENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 22, 2008, 10:30 a.m.

The House met pursuant to recess with Speaker Neufeld in the chair.
The roll was called with 116 members present.
Reps. Flora and Kuether were excused on verified illness.
Reps. Colyer, Crow, Donohoe, Faust-Goudeau, Masterson, O'Neal and Wilk were excused on excused absence by the Speaker.

Prayer by Rep. Metsker:

Henry Thornton was a member of British Parliament in the nineteenth century. He held meetings in his home at Battersea Rise in Clapham, England. (As well, this group included William Wilberforce of whom the movie Amazing Grace was written — they worked together to abolish slavery in England.) Thornton composed prayers for family devotions — we have a book of these devotional prayers in our home. This morning, in this beautiful House please join me as we begin our day . . . as family . . . for portions of a timeless prayer penned by Henry Thornton:

Lord, God Almighty, we ask You now to deliver us from all wandering thoughts. Help us to remember in whose presence we are; and let us worship You in spirit and in truth.

O Lord, our heavenly Father, who are the preserver of our lives and the giver of all the good things that we enjoy, we thank You for the mercies of the past night. We bless Your name, that we are meeting together in so much health and comfort and that we have now the prospect of passing another day in the enjoyment of the bounties of Your providence.

Save us from the temptations of the day; strengthen us for the fulfillment of our duties; direct us in all our difficulties; and comfort us under any trouble or adversity, into which we may this day come. Grant that when we lie down at night, we may be able to look back on the hours that shall have passed with a humble confidence that You accept our services and will pardon our infirmities.

We ask You to deliver us from all evil passions, from pride and envy, from hatred and ill will, from fault finding and uncharitableness. Preserve us, also, from those secret transgressions that Your eye alone can discern in us. Deliver each of us from the sins that most easily beset us. O Lord, grant that Your good Spirit may this day abide within us, and dispose us to every good work.

And, Father, I pray that like the Psalmist David, we would choose this day to serve each of our districts and collectively our great state according to Psalm 78:72 — with skillful hands and integrity of heart.

And . . . for me Lord . . . grant to me. I pray, the spirit to think and do always those things that are right . . . that I who cannot exist without You, may by You be enabled to live according to Your will; through Jesus Christ

my Lord, who lives and reigns with You and the Holy Spirit, one God, for ever and ever. Amen.

The Pledge of Allegiance was led by Rep. Grant.

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

Susie and I are happy to announce the birth of our grandson, Grady Andrew Dekker, this morning. He is seven and a half pounds with red hair!

He is welcomed by his parents, Kim and Kris Dekker, and his sisters Katy and Meagan.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2934, An act enacting the health care reform act of 2008; amending K.S.A. 21-3851, 40-2119, 40-2124, 40-2209d, 40-2209m and K.S.A. 2007 Supp. 39-709, 40-19c06, 40-2209, 40-2240, 40-3209, 65-7402, 65-7403, 75-6501, 75-7423, 75-7427 and 79-32,117 and repealing the existing sections, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2926**.

Elections and Governmental Organization: **SB 457, SB 460, SB 519**.

Federal and State Affairs: **SB 397, SB 486, SB 514**.

Health and Human Services: **Sub. SB 491; SB 529, SB 548**.

Insurance and Financial Institutions: **SB 464, SB 511, SB 561**.

Judiciary: **SB 46, SB 481**.

Taxation: **HB 2925, HB 2927, HB 2928, HB 2929, HB 2930, HB 2931, HB 2932, HB 2933**.

CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2903** from Committee on Education and referral to Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From Kathy Greenlee, Secretary of Department on Aging. Annual Report for State Fiscal Year 2007.

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

MESSAGES FROM THE SENATE

Announcing passage of **SB 404, SB 437, SB 459, SB 470, SB 507, SB 517, SB 518, SB 523, SB 531, SB 534, SB 536, SB 557, SB 584**.

Also, announcing passage of **SB 418, SB 454, SB 471, SB 489, SB 526**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 404, SB 418, SB 437, SB 454, SB 459, SB 470, SB 471, SB 489, SB 507, SB 517, SB 518, SB 523, SB 526, SB 531, SB 534, SB 536, SB 557, SB 584.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6014—

By Committee on Commerce and Labor

A RESOLUTION concerning workers compensation insurance premium rates; urging legislative hearings regarding workers compensation premium rates and urging the Com-

missioner of Insurance to exercise greater diligence regarding increases in workers compensation premiums rates.

WHEREAS, Workers compensation insurance premium rates should be determined primarily by the number of accidents in the workplace and the ability of insurance carriers to effectively do business in the state, and

WHEREAS, The number of workplace injuries in the state of Kansas continues to decline; and

WHEREAS, The number of workers compensation claims is on par with the surrounding states of Colorado, Missouri, Nebraska and Oklahoma; and

WHEREAS, The national council on compensation insurance reports that the state of Kansas remains a good place for workers compensation insurance carriers to make a profit on investment and that the workers compensation market is extremely stable; and

WHEREAS, Premium growth has increased for workers compensation insurance carriers in the state of Kansas; and

WHEREAS, The national council on compensation insurance reports that the moneys paid to injured workers in Kansas (the Kansas indemnity average) is low compared to surrounding states and well below the national average with Kansas averaging \$15,500 per claim, while Colorado averages \$22,500, Missouri averages \$14,400, Nebraska averages \$16,100 and Oklahoma averages \$22,300; and

WHEREAS, The majority of workers compensation cases are permanent partial disabilities and the average cost per case in Kansas is on par with surrounding states and well below the national average; and

WHEREAS, The total reported workers compensation indemnity and medical losses increased by only 1.4% between 2005 and 2006; and

WHEREAS, Kansas will see a 5.5% increase in overall workers compensation premium rates and voluntary filings in surrounding states are Oklahoma - 7.2%, Iowa - 0.3%, Nebraska - 3.9%, Colorado - 8.8% and Missouri - 10.0%; Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the House of Representatives finds the 2008 increases in workers compensation premium rates approved by the Commissioner of Insurance to be unjustifiably high and finds it difficult to understand any rationale for such increases; and

Be it further resolved: That the House Committee on Insurance and Financial Institutions shall conduct hearings regarding the increase in the workers compensation premium rates before the end of the 2008 regular session of the Legislature and prepare a report for the members of the House of Representatives on this issue; and

Be it further resolved: That the Commissioner of Insurance be invited to appear at such hearings and present information or justification that served as the basis for the 2008 approved rate increases for workers compensation premiums; and

Be it further resolved: That the House of Representatives hereby encourages the Commissioner of Insurance to exercise greater oversight and increased diligence in reviewing and acting upon any future requests that would increase workers compensation premium rates.

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide an enrolled copy of this resolution to Sandy Praeger, Kansas Commissioner of Insurance at 420 S.W. 9th Street, Topeka, Kansas 66612.

CONSENT CALENDAR

No objection was made to **HB 2824; SB 447** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2892** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker Neufeld announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2688**, **HB 2704** be passed.

Committee report to **HB 2691** be adopted; also, on motion of Rep. Watkins be amended on page 3, following line 24, by inserting the following:

“Sec. 3. K.S.A. 2007 Supp. 8-1,147 is hereby amended to read as follows: 8-1,147. In the event of the death of any person issued distinctive license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-1,139, 8-1,140, 8-1,145 ~~or~~ 8-1,146 *or section I*, and amendments thereto, the surviving spouse or other family member, if there is no surviving spouse, shall be entitled to possession of any such distinctive license plates. Such license plates shall not be displayed on any vehicle unless otherwise authorized by statute.”;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 25, by striking “is” and inserting “and 8-1,147 are”;

In the title, in line 23, following “8-1,141” by inserting “and 8-1,147”; in line 24, by striking “section” and inserting “sections”; and **HB 2691** be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2207** be adopted; and the substitute bill be passed.

Committee report to **HB 2781** be adopted; also, on motion of Rep. Davis to amend, the motion was withdrawn, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2908** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Elections and Governmental Organization** recommends **HB 2648** be amended on page 1, in line 18, before the period by inserting “or the appointment shall be deemed approved”; in line 21, after “is” by inserting “either unqualified to hold the office or is”; and the bill be passed as amended.

Committee on **Elections and Governmental Organization** recommends **HB 2757** be amended by substituting a new bill to be designated as “Substitute for HOUSE BILL No. 2757,” as follows:

“Substitute for HOUSE BILL No. 2757

By Committee on Elections and Governmental Organization

“AN ACT concerning municipal hospitals; amending K.S.A. 12-1615, 13-14b11, 14-605, 19-4610 and 80-2511 and repealing the existing sections.”; and the substitute bill be passed.

(**Sub. HB 2757** was thereupon introduced and read by title.)

Committee on **Elections and Governmental Organization** recommends **HB 2804** be amended on page 1, in line 31, by striking “subsection” and inserting “section”; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2632** be passed.

Committee on **Health and Human Services** recommends **HB 2695** be amended on page 2, by striking all of lines 12 through 40 and inserting the following:

“(c) The board may issue a license as an athletic trainer without examination to an applicant:

(1) Who presents evidence satisfactory to the board of being licensed, registered or certified in another state, District of Columbia, territory or foreign country and of having passed an examination in athletic training before a similarly lawfully authorized examining board in athletic training of another state, District of Columbia, territory or foreign country if the standards for the examination and for licensure, registration or certification in athletic training in such other state, District of Columbia, territory or foreign country are determined by the board to be at least equivalent to those of this state; or

(2) who presents evidence satisfactory to the board of having been engaged in the practice of athletic training in another state, District of Columbia, territory or foreign country and passed an examination in athletic training by the national athletic trainers’ association board

of certification, inc. or other recognized national voluntary credentialing body which examination the board finds is at least equivalent to the examination approved by the board under K.S.A. 65-6907, and amendments thereto, and who is certified by the national athletic trainers' association board of certification, inc. or other recognized national voluntary credentialing body which certification the board finds was issued based on standards at least equivalent to the standards for licensure as an athletic trainer in this state; and

(3) who, at the time of making such application has not been subject to discipline or does not have a disciplinary action pending resulting from the practice of athletic training in another state, District of Columbia, territory or foreign country; and

(4) who, at the time of making such application, pays to the board a fee as prescribed, no part of which shall be returned.”;

And by relettering the remaining subsections accordingly;

On page 3, in lines 39 and 40 by striking “the renewal fee and”; also in line 40, by striking “are” and inserting “is”;

On page 4, in line 25, by striking “(f)” and inserting “(d)”; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2707** be amended on page 1, in line 32, by striking “or”; in line 42, after “vehicles” by inserting “; or

(6) the failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying: (A) The time and place to return the vehicle; and (B) that failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles”;

On page 2, after line 16, by inserting the following:

“Sec. 2. K.S.A. 21-3705 is hereby amended to read as follows: 21-3705. (a) Criminal deprivation of property is obtaining or exerting unauthorized control over property, with intent to deprive the owner of the temporary use thereof, without the owner's consent but not with the intent of depriving the owner permanently of the possession, use or benefit of such owner's property.

(b) Criminal deprivation of property that is a motor vehicle, as defined in K.S.A. 8-1437, and amendments thereto:

(1) *Upon a first or second conviction* is a class A nonperson misdemeanor. Upon a first conviction of this ~~subsection~~ *paragraph*, a person shall be sentenced to not less than 30 days nor more than one year's imprisonment and fined not less than \$100. Upon a second ~~or subsequent~~ conviction of this ~~subsection~~ *paragraph*, a person shall be sentenced to not less than 60 days nor more than one year's imprisonment and fined not less than \$200. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. The mandatory provisions of this subsection shall not apply to any person where such application would result in a manifest injustice; *and*

(2) *upon a third or subsequent conviction is a severity level 9, nonperson felony.*

(c) Criminal deprivation of property other than a motor vehicle, as defined in K.S.A. 8-1437, and amendments thereto, is a class A nonperson misdemeanor. Upon a second or subsequent conviction of this subsection, a person shall be sentenced to not less than 30 days imprisonment and fined not less than \$100, except that the provisions of this subsection relating to a second or subsequent conviction shall not apply to any person where such application would result in a manifest injustice.

Sec. 3. K.S.A. 21-4704 is hereby amended to read as follows: 21-4707. (a) For purposes of sentencing, the following sentencing guidelines grid for nondrug crimes shall be applied in felony cases for crimes committed on or after July 1, 1993:

(b) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. Sentences expressed in such grid represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to judicial discretion to deviate for substantial and compelling reasons and impose a different sentence in recognition of aggravating and mitigating factors as provided in this act. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. The sentencing judge shall select the center of the range in the usual case and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the prison sentence, the maximum potential reduction to such sentence as a result of good time and the period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the prison sentence as well as the duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence if the offense is classified in grid blocks 5-H, 5-I or 6-G shall not be considered a departure and shall not be subject to appeal.

(g) The sentence for the violation of K.S.A. 21-3415, and amendments thereto, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or K.S.A. 21-3411, and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence upon making a finding on the record that the nonprison sanction will serve community safety interests by promoting offender reformation. Any decision made by the court regarding the imposition of the optional nonprison sentence, if the offense is classified in grid block 6-H or 6-I, shall not be considered a departure and shall not be subject to appeal.

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence upon making a finding on the record that the nonprison sanction will serve community safety interests by promoting offender reformation. Any decision made by the court regarding the imposition of the optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(i) The sentence for the violation of the felony provision of K.S.A. 8-1567, subsection (b)(3) of K.S.A. 21-3412a, subsections (b)(3) and (b)(4) of K.S.A. 21-3710, K.S.A. 21-4310 and K.S.A. 21-4318, and amendments thereto, shall be as provided by the specific mandatory

sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 21-4707 and amendments thereto. If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 21-4707, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 21-3710, and amendments thereto. Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 8-1567, subsection (b)(3) of K.S.A. 21-3412a, subsections (b)(3) and (b)(4) of K.S.A. 21-3710, K.S.A. 21-4310 and K.S.A. 21-4318, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, *except that the term of imprisonment for felony violations of K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review.*

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who: (A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717 and amendments thereto; and (ii) at the time of the conviction under paragraph (A) (i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717 and amendments thereto in this state or comparable felony under the laws of another state, the federal government or a foreign government; or (B) (i) has been convicted of rape, K.S.A. 21-3502, and amendments thereto; and (ii) at the time of the conviction under paragraph (B) (i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in paragraph (2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. Any decision made by the court regarding the imposition of the optional nonprison sentence shall not be considered a departure and shall not be subject to appeal. As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more person felonies or felony violations of the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto, which has a common name or common identifying sign or symbol, whose members, individually or collectively engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto, or any substantially similar offense from another jurisdiction.

(l) (1) The sentence for a violation of subsection (a) of K.S.A. 21-3715 and amendments thereto when such person being sentenced has a prior conviction for a violation of subsection (a) or (b) of K.S.A. 21-3715 or 21-3716 and amendments thereto shall be presumed imprisonment.

(2) The sentence for a violation of K.S.A. 21-3715, and amendments thereto, when such person being sentenced has two or more prior convictions for violations of K.S.A. 21-3715, and amendments thereto, or a prior conviction of K.S.A. 21-3715 and 21-3716, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section. Such sentence shall not be considered a departure and shall not be subject to appeal.

(m) The sentence for a violation of K.S.A. 22-4903 or subsection (d) of K.S.A. 21-3812, and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism, such program is available and the offender can be admitted to such program within a reasonable period of time; or

(2) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence pursuant to this section shall not be considered a departure and shall not be subject to appeal.

(n) *The sentence for a third or subsequent violation of subsection (b) of K.S.A. 21-3705, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.*;

And by renumbering the remaining sections accordingly;

Also on page 2, in line 17, by striking "is" and inserting ", 21-3705, 21-4704 and 21-4704b are";

On page 1, in the title, in line 10, after "erty" by inserting "and criminal deprivation of property"; also in line 10, after "21-3702" by inserting ", 21-3705 and 21-4704"; in line 11, by striking "section" and inserting "sections; also repealing K.S.A. 21-4704b"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2727** be amended on page 1, in line 26, after the period, by inserting "an examination has taken place solely upon the request of the victim, the medical care facility shall not notify any law enforcement agency without the written consent of the victim, unless otherwise required by law"

On page 2, in line 1, by striking "and kept for 180 days"; in line 3, after "nation" by inserting "and kept for five years in the evidence storage facilities of the Kansas bureau of investigation"; also in line 3, by striking "180 days" and inserting "five years"; also in line 3, by striking "or at the direction"; in line 4, by striking all before the period and inserting "the Kansas bureau of investigation"; in line 7, by striking ", in consultation with the attorney general"; in line 11, after the period, by inserting "The fee for conducting an examination of a victim as herein provided shall not be charged or billed to the victim or to the victim's insurance carrier."; after line 14, by inserting the following:

"(d) No medical care facility shall incur any civil, administrative or criminal liability as a result of notifying or failing to notify any law enforcement agency if an examination has taken place solely upon the request of the victim and such notification is not otherwise required by law.

(e) The Kansas bureau of investigation may adopt rules and regulations as deemed necessary to implement the provisions of this section."; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2725** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2725," as follows:

"Substitute for HOUSE BILL No. 2725

By Committee on Transportation

"AN ACT relating to vehicle protection products; providing exemption from insurance laws."; and the substitute bill be passed.

(**Sub. HB 2725** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 62, by Representative Bowers, congratulating Mildred M. Vanek on her 100th birthday;

Request No. 63, by Representative Yoder and others, commending Marjorie Kaplan on her 16 years of service to the Shawnee Mission School District;

Request No. 64, by Representative Grange, congratulating Samuel Kenyon Wheeler on attaining the rank of Eagle Scout;

Request No. 65, by Representative Aurand, congratulating Mabel Whitney on her 100th birthday;

Request No. 66, by Representative Johnson, congratulating Margarita Caulfield on receiving a Prudential Spirit of Community Award;

Request No. 67, by Representative Huntington, congratulating Dara O'Connor on receiving one of the two top Kansas Prudential Spirit of Community Awards;

Request No. 68, by Representative Merrick, congratulating Mr. and Mrs. John Weiss on their 60th wedding anniversary;

Request No. 69, by Representative Merrick, congratulating Megan Adams, Taylor Nichols, Megan Ritter and Josh Dean on winning the Kansas State Championship Debate;

Request No. 70, by Representative Phelps, congratulating Lisa Colwell on being selected for the 2008 Master Teacher Award;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Merrick, the committee report was adopted.

CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2629** from Committee on Elections and Governmental Organization and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2628, **HB 2726** reported correctly engrossed February 21, 2008.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Monday, February 25, 2008.

JANET E. JONES, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

