

Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 24, 2008, 10:30 a.m.

The House met pursuant to recess with Speaker pro tem Dahl in the chair.
The roll was called with 118 members present.
Reps. Faust-Goudeau, Grant, Henderson, Kelley, McCray-Miller, Judy Morrison and Sloan were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. William A. Damberg, pastor, Hillsboro Mennonite Brethren Church, Hillsboro, and guest of Rep. Dahl:

To the Living, Sovereign God, we acknowledge Your presence today.

I pray for each of these citizen legislators and their staff who have convened to do business on behalf of the citizenry of the sovereign state of Kansas. Empower each legislator today to respect one another in transacting the affairs of state. Empower them to exercise wisdom in representing their constituency with honesty and sensitivity. Enable each legislator to be compassionate and responsible in crafting legislation. Forgive each member for being callous and insensitive to one another. Grant each legislator the vision for what is best for the citizens of this great state. Give each legislator wisdom and insight to discern what is important and what is not important. I pray this in the name of the God of creation, redemption and hope. Amen.

The Pledge of Allegiance was led by Rep. Tafanelli.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Health and Human Services: **HB 2983**.

CONSENT CALENDAR

No objection was made to **SB 465** appearing on the Consent Calendar for the first day.

No objection was made to **Sub. SB 209; SB 443, SB 450, SB 472, SB 523** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2811, An act concerning emergency powers of local government and other governmental entities; amending K.S.A. 48-925 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Hawk, Hayzlett, Henry, Hill, 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, 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, Quigley, Rardin, Rhoades, Roth, Ruff, Ruiz, Schroeder, Schwartz, Shultz, Siegfried, 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: Faust-Goudeau, Grant, Henderson, Hodge, Kelley, McCray-Miller, Judy Morrison, Sawyer, Sloan.

The bill passed, as amended.

HB 2968, An act concerning docket fees; creating the judicial branch nonjudicial salary adjustment fund; amending K.S.A. 20-1a04, 20-367 and 23-108a and K.S.A. 2007 Supp. 8-2107, 8-2110, 28-170, 28-172a, 38-2215, 38-2314, 59-104, 60-1621, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 30; Present but not voting: 0; Absent or not voting: 9.

Yeas: Ballard, Beamer, Bethell, Burgess, Burroughs, Carlin, Colloton, Craft, Crow, Crum, Dahl, Davis, Donohoe, Faber, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Hawk, Hill, Holland, C. Holmes, M. Holmes, Horst, Humerickhouse, Huntington, Johnson, Kiegerl, King, Knox, Kuether, Lane, Loganbill, Long, Mah, McKinney, McLachlan, Menghini, Metsker, Moxley, Myers, Neighbor, O'Neal, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Proehl, Quigley, Rardin, Rhoades, Roth, Ruff, Ruiz, Schroeder, Shultz, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Whitham, Wilk, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Aurand, Bowers, Brown, Brunk, Carlson, Colyer, Dillmore, Feuerborn, Hayzlett, Henry, Huebert, Kelsey, Kinzer, Landwehr, Light, Lukert, Mast, Masterson, McLeland, Merrick, Jim Morrison, Neufeld, Olson, Pottorff, Powell, Powers, Schwartz, Siegfried, Wetta, Winn.

Present but not voting: None.

Absent or not voting: Faust-Goudeau, Grant, Henderson, Hodge, Kelley, McCray-Miller, Judy Morrison, Sawyer, Sloan.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: A free and independent court deserves and must have the support of all citizens and taxpayers. Our courts are not to become fee dependent turnpikes to justice. I vote No on **HB 2968**.— NILE DILLMORE

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz, the House nonconcurrent in Senate amendments to **S. Sub. for HB 2001** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Schwartz, Tafanelli and Feuerborn as conferees on the part of the House.

On motion of Rep. Wilk, the House nonconcurrent in Senate amendments to **HB 2641** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Wilk, Carlson and Holland as conferees on the part of the House.

On motion of Rep. Gordon, the House nonconcurrent in Senate amendments to **HB 2657** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Gordon, Huntington and Winn as conferees on the part of the House.

On motion of Rep. Faber, the House nonconcurrent in Senate amendments to **S. Sub. for HB 2860** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Faber, Knox and Svaty as conferees on the part of the House.

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 **SB 448** be passed.

On motion of Rep. O'Neal, **SB 449** be amended on page 7, before line 1, by inserting the following:

"Sec. 2. K.S.A. 2007 Supp. 84-9-526 is hereby amended to read as follows: 84-9-526. (a) (1) **Adoption of filing-office rules.** The secretary of state shall adopt and publish rules to implement this article. The filing-office rules must be:

~~(A)~~ (A) Consistent with this article; and
~~(B)~~ (B) adopted and published in accordance with the ~~administrative procedure rules and regulations filing act.~~

(2) *All rules of the secretary of state adopted pursuant to this section in existence on June 30, 2007, shall continue to be effective and shall be deemed to be duly adopted rules of the secretary of state until revised, amended, revoked or nullified pursuant to law.*

(b) **Harmonization of rules.** To keep the filing-office rules and practices of the filing office in harmony with the rules and practices of filing offices in other jurisdictions that enact substantially this part, and to keep the technology used by the filing office compatible with the technology used by filing offices in other jurisdictions that enact substantially this part, the secretary of the state, so far as is consistent with the purposes, policies, and provisions of this article, in adopting, amending, and repealing filing-office rules, shall:

(1) Consult with filing offices in other jurisdictions that enact substantially this part; and
(2) consult the most recent version of the model rules promulgated by the international association of corporate administrators or any successor organization; and
(3) take into consideration the rules and practices of, and the technology used by, filing offices in other jurisdictions that enact substantially this part.;"

And by renumbering the remaining sections accordingly;

Also on page 7, in line 1, by striking "is" and inserting "and 84-9-526 are";

In the title, in line 10, after "84-9-521" by inserting "and 84-9-526"; in line 11, by striking "section" and inserting "sections"; and **SB 449** be passed as amended.

Committee report recommending a substitute bill to **H. Sub. for SB 81** be adopted; also, on motion of Rep. Colyer to amend, Rep. O'Neal requested the question be divided. The question was divided.

On Part A of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended on page 2, by striking all in lines 29 through 43;

By striking all on pages 3 through 15;

Also, on Part B of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended on page 57, by striking all in lines 9 through 43;

Also, on Part C of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended by inserting:

"New Sec. 20. The legislative coordinating council shall appoint a legislative study committee or committees during the 2008 interim period to study and review the following:

- (a) Medicaid reform including, but not limited to:
- (1) allowing the inspector general to keep a portion of moneys recovered from persons committing medicaid fraud;
 - (2) modernizing medicaid benefits and payment policies to encourage wellness and efficiency and aligning medicaid payment policies with medicare payment policies;
 - (3) allowing medical assistance recipients whose assistance has ceased to purchase coverage for up to three years; and
 - (4) the experience of other states, long term care, waste, fraud and abuse, health opportunity accounts and other reforms allowed by federal law;
- (b) expanding affordable commercial insurance including, but not limited to:
- (1) Individual and small business tax credits;

(2) encouraging health savings accounts, high deductible health plans and Section 125 cafeteria plans;

(3) allowing insurers to provide incentives in return for participation in programs promoting wellness, health and disease prevention;

(4) allowing insurers to offer young adult policies with limited benefit packages and reduced premiums;

(5) changes to the Kansas health insurance association plans and eligibility, and the use of reinsurance mechanisms;

(6) small business health policies including creating a small business health policy committee, allowing very small employers to obtain group health insurance coverage, and making health insurance more affordable for small businesses and their employees;

(c) other issues of health reform including, but not limited to, health manpower, physical fitness in schools, transparency and a statutory legislative committee on health futures in conjunction with the Kansas health policy authority.

Also, on Part D of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended by inserting:

New Sec. 21. The Kansas health policy authority shall, subject to appropriations, establish and implement the following:

(a) Premium assistance program for families at or under 50% of the federal poverty level, and will include access to a state procured plan, health opportunity accounts and employer-provided insurance, the cost of which shall not exceed \$4,000,000;

(b) dental coverage for pregnant medicaid beneficiaries the cost of which shall not exceed \$545,833;

(c) access to care programs for outreach to increase enrollment of children in medicaid and healthwave with priority given to rural and safety net clinics, the cost of which shall not exceed \$550,000;

(d) expansion of medicaid eligibility up to 200% of the federal poverty level and smoking cessation programs for pregnant women, the cost of which will be approximately \$460,000 from the state general fund;

(e) the statewide community health records program, the cost of which shall not exceed \$383,600.

Also, on Part E of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended by inserting:

New Sec. 22.. The department of health and environment shall, subject to appropriations, establish a program to increase access to screenings for colon, breast, prostate and cervical cancer, to be used in conjunction with, but not limited to, rural health clinics and safety net clinics, the cost of which shall not exceed \$4,000,000.

Also, on Part F of the motion of Rep. Colyer, **H. Sub. for SB 81** be amended on page 1, in line 35, by striking "shall" and inserting "may";

On page 16, by striking all in lines 1 through 39;

And by renumbering the remaining sections accordingly;

On page 23, in line 7, by striking "ways to"; in line 8, by striking "Expand" and inserting "Expanding"; in line 9, by striking "and"; in line 10, by striking "provide" and inserting "providing"; in line 11, by striking the period and inserting "; and

(3) using Section 125 plans and health savings accounts.";

On page 42, by striking all in lines 4 through 29;

And by renumbering the remaining sections accordingly;

On page 46, in line 15, by striking "nursing home" and inserting "nursing facility";

On page 48, in line 34, after the period by inserting "The employer's contribution for such employee's high deductible plan and health savings account shall equal the employer's contribution for the state health benefits plan in which such employee would otherwise be eligible to participate.";

On page 56, in line 41, by striking all after the period; by striking all in line 42 and inserting "Nothing in this section shall be construed to conflict with federal law, or to require or permit the use of federal funds where prohibited.";

By striking all on page 58;

On page 59, by striking all in lines 1 through 37 and inserting:

“Sec. 13. K.S.A. 2007 Supp. 75-7401 is hereby amended to read as follows: 75-7401. (a) On July 1, 2005, the Kansas health policy authority is hereby established as a state agency within the executive branch of state government.

(b) The Kansas health policy authority shall be composed of nine voting members and ~~seven~~ *eight* nonvoting, ex officio members. The nine voting members shall be appointed as follows:

- (1) Three members shall be appointed by the governor;
- (2) two members shall be appointed by the speaker of the house of representatives;
- (3) one member shall be appointed by the minority leader of the house of representatives;
- (4) two members shall be appointed by the president of the senate; and
- (5) one member shall be appointed by the minority leader of the senate.

(c) The ~~seven~~ *eight* nonvoting, ex officio members of the Kansas health policy authority are the director of health of the department of health and environment, secretary of health and environment, secretary of social and rehabilitation services, commissioner of insurance, secretary of administration, secretary of aging, *commissioner of education* and the executive director of the authority appointed pursuant to K.S.A. 2007 Supp. 75-7402, and amendments thereto. The ~~seven~~ *eight* nonvoting, ex officio members of the Kansas health policy authority shall act as a resource and support for the voting members of the authority and shall not be entitled to vote or to make or second motions in any meeting of the authority.

(d) The appointment of each voting member of the Kansas health policy authority shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed as a voting member of the Kansas health policy authority shall exercise any power, duty or function as a member of the authority until confirmed by the senate. Each member shall hold office for a term of four years, except as provided in subsection (f) for the first members appointed to the Kansas health policy authority, and until a successor is appointed and confirmed. Terms of voting members of the Kansas health policy authority shall expire on March 15.

(e) Voting members of the Kansas health policy authority shall be members of the general public who have knowledge and demonstrated leadership in fields including, but not limited to, health care delivery, health promotion, public health improvement, evidence-based medicine, insurance, information systems, data analysis, health care finance, economics, government, and business. A majority of the voting members of the Kansas health policy authority shall be Kansas residents. No member of the legislature shall be appointed as a voting member of the Kansas health policy authority.

(f) The first voting members of the Kansas health policy authority established by this section shall be appointed on or before August 1, 2005. The terms of office of such members shall be as follows:

- (1) The governor shall appoint one member for a term which shall expire on March 15, 2007, and two members for a term which shall expire on March 15, 2009;
- (2) the speaker of the house of representatives shall appoint two members for a term which shall expire on March 15, 2008;
- (3) the minority leader of the house of representatives shall appoint one member for a term which shall expire on March 15, 2007;
- (4) the president of the senate shall appoint two members for a term which shall expire on March 15, 2008; and
- (5) the minority leader of the senate shall appoint one member for a term which shall expire on March 15, 2007.

In addition to such terms, each of the first members appointed shall serve until a successor is appointed and confirmed.

(g) The members of the Kansas health policy authority shall meet and organize annually by electing a voting member as chairperson, except that the governor shall designate the first chairperson of the Kansas health policy authority from among the first voting members appointed. A majority of all voting members shall constitute a quorum for meetings. All actions of the Kansas health policy authority shall be by the affirmative vote of a majority of voting members at any meeting at which a quorum is present. The Kansas health policy

authority shall meet at least monthly during the fiscal year ending June 30, 2006, and thereafter not less than once per calendar quarter.

(h) Members of the Kansas health policy authority attending meetings of the authority, or attending a subcommittee meeting thereof authorized by the Kansas health policy authority, shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature. Members on the Kansas health policy authority shall not receive compensation for their service on the authority.

(i) On July 1, 2013, the Kansas health policy authority is hereby abolished.”;

And by renumbering the remaining sections accordingly;

On page 60, by striking all in lines 23 through 43;

By striking all on page 61;

On page 62, by striking all in lines 1 through 6;

And by renumbering the remaining sections accordingly;

On page 63, by striking all in lines 36 through 38 and inserting:

“Sec. 16. K.S.A. 2007 Supp. 46-3501 is hereby amended to read as follows: 46-3501. (a)

There is hereby created the joint committee on health policy oversight within the legislative branch of state government. The joint committee shall be composed of 12 members. Six members shall be members of the house of representatives and six members shall be members of the senate. Four of the members who are members of the house of representatives shall be appointed by the speaker of the house of representatives, four members who are senators shall be appointed by the president of the senate, two members who are members of the house of representatives shall be appointed by the minority leader of the house of representatives and two members who are senators shall be appointed by the minority leader of the senate.

(b) All members of the joint committee on health policy oversight shall serve for terms of two years ending on the first day of the regular session of the legislature commencing in the first odd-numbered year after the year of appointment, except that the first members shall be appointed on July 1, 2005, and shall serve for terms ending on the first day of the regular session of the legislature commencing in 2007. If a vacancy occurs in the office of any member of the joint committee on health policy oversight, a successor shall be appointed in the same manner as the original appointment for the remainder of the term.

(c) (1) The chairperson of the joint committee on health policy oversight shall be appointed for a term of one year which ends on the first day of the next occurring regular session of the legislature. The speaker of the house of representatives shall appoint the first chairperson on July 1, 2005, and shall appoint the chairperson for the term commencing on the first day of the regular session of the legislature commencing in 2006 for a one-year term to end on the first day of the regular session of the legislature commencing in the year 2007. The president of the senate shall appoint the next chairperson on the first day of the regular session of the legislature commencing in the year 2007 for a one-year term which ends on the first day of the next occurring regular session of the legislature. Thereafter the appointment of the chairperson shall continue to alternate between the speaker of the house of representatives and the president of the senate with each subsequent chairperson being appointed for a one-year term ending on the first day of the regular session of the legislature in the next occurring regular session of the legislature after the year of appointment.

(2) The vice-chairperson of the joint committee on health policy oversight shall be appointed for a term of one year which ends on the first day of the next occurring regular session of the legislature. The president of the senate shall appoint the first vice-chairperson on July 1, 2005, and shall appoint the vice-chairperson for the term commencing on the first day of the regular session of the legislature commencing in 2006 for a one-year term to end on the first day of the regular session of the legislature commencing in the year 2007. The speaker of the house of representatives shall appoint the next vice-chairperson on the first day of the regular session of the legislature commencing in the year 2007 for a one-year term which ends on the first day of the next occurring regular session of the legislature. Thereafter the appointment of the vice-chairperson shall continue to alternate between the speaker of the house of representatives and the president of the senate with each subsequent vice-chairperson being appointed for a one-year term ending on the first day of the regular

session of the legislature in the next occurring regular session of the legislature after the year of appointment.

(3) If a vacancy occurs in the office of the chairperson or vice-chairperson, a member of the joint committee on health policy oversight who is a member of the same house of the legislature as the member who vacated the office shall be appointed by the speaker of the house, if the vacating member was a member of the house of representatives, or by the president of the senate, if the vacating member was a member of the senate, to fill such vacancy.

(d) A quorum of the joint committee on health policy oversight shall be seven. All actions of the joint committee on health policy oversight shall be taken by a majority of all of the members of the joint committee.

(e) The joint committee on health policy oversight shall have the authority to meet at any time and at any place within the state on the call of the chairperson.

(f) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on health policy oversight to the extent that the same do not conflict with the specific provisions of this section applicable to the joint committee.

(g) Members of the joint committee on health policy oversight shall receive compensation, travel expenses and subsistence expenses as provided in K.S.A. 75-3212 and amendments thereto when attending meetings of the joint committee.

(h) The staff of the legislative research department, the office of revisor of statutes and the division of legislative administrative services shall provide such assistance as may be requested by the joint committee on health policy oversight and to the extent authorized by the legislative coordinating council.

(i) The joint committee on health policy oversight shall have the exclusive responsibility to monitor and study the operations and decisions of the Kansas health policy authority. *In addition, the joint committee shall oversee the implementation and operation of the children's health insurance plans, including the assessment of the performance based contracting's measurable outcomes as set forth in subsection (b)(4) of K.S.A. 38-2001, and amendments thereto.*

(j) 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 joint committee on health policy oversight.

(k) The joint committee on health policy oversight may introduce such legislation as it deems necessary in performing its functions.

(l) The provisions of this section shall expire on July 1, 2013.”;

And by renumbering the remaining sections accordingly;

On page 66, by striking all in lines 1 through 4 and inserting:

Sec. 23. K.S.A. 39-760 is hereby amended to read as follows: 39-760. (a) The *Kansas health policy authority and the secretary of social and rehabilitation services* ~~is are~~ hereby directed to establish a system for the reporting of suspected abuse or fraud in connection with state welfare or medical assistance programs, either by recipients or health care providers. The system shall be designed to permit any person in the state at any time to place a toll-free call into the system and report suspected cases of welfare abuse or suspected cases of health care provider fraud.

(b) The *Kansas health policy authority and the secretary of social and rehabilitation services* ~~is are~~ further directed to publicize the system throughout the state.

(c) Notice of the existence of the system established pursuant to this section shall be displayed prominently in the office or facility of every health care provider who provides services under the state medical assistance program.

(d) The ~~secretary of social and rehabilitation services~~ *Kansas health policy authority* shall notify ~~monthly~~ *annually* each recipient of state medical assistance of the toll-free number of the system established pursuant to this section and the purpose thereof. If possible, such notice shall be printed on the medical cards issued to recipients by the ~~secretary authority~~.

Sec. 24. K.S.A. 39-760, 40-2119, 40-2124, 40-2209d, 46-3001 and K.S.A. 2007 Supp. 40-19c06, 40-2209, 40-3209, 46-3501, 65-7402, 65-7403, 74-50,301, 74-50,302, 75-6501, 75-7401 and 75-7427 are hereby repealed.”;

And by renumbering the remaining section accordingly;

In the title, by striking all in lines 9 through 13 and inserting:

“AN ACT enacting the health care reform act of 2008; amending K.S.A. 39-760, 40-2119, 40-2124, 40-2209d, 46-3001 and K.S.A. 2007 Supp. 40-19c06, 40-2209, 40-3209, 46-3501, 65-7402, 65-7403, 74-50,301, 74-50,302, 75-6501, 75-7401 and 75-7427 and repealing the existing sections.”;

Also, on motion of Rep. Rhoades to amend **H. Sub. for SB 81**, the motion did not prevail.

Also, on motion of Rep. Holland to amend, the motion was withdrawn.

Also, on motion of Rep. Peck to amend **H. Sub. for SB 81**, Rep. Colyer requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question then reverted back to the motion of Rep. Peck to amend on page 65, after line 41, by inserting the following:

“Sec. 28. K.S.A. 2007 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117.

(a) The Kansas adjusted gross income of an individual means such individual’s federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer’s federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments to such sections.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2007 Supp. 79-32,204 and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203 and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2007 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xv) of subsection (c) of K.S.A. 79-32,117, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2007 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2007 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to paragraph (xiii) of subsection (c), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2007 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2007 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2007 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2007 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2007 Supp. 79-32,256, and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired

the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas Venture Capital, Inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249 and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2007 Supp. 74-50,201, et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2007 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For the tax year beginning after December 31, 2004, an amount not exceeding \$500; for the tax year beginning after December 31, 2005, an amount not exceeding \$600; for the tax year beginning after December 31, 2006, an amount not exceeding \$700; for the tax year beginning after December 31, 2007, an amount not exceeding \$800; for the tax year beginning December 31, 2008, an amount not exceeding \$900; and for all taxable years commencing after December 31, 2009, an amount not exceeding \$1,000 of the premium costs for qualified long-term care insurance contracts, as defined by subsection (b) of section 7702B of public law 104-191.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xviii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 session laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xix) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xx) *For tax years beginning after December 31, 2007, amounts which are paid by a taxpayer as a member of a health care sharing ministry to the extent that such amounts have not been included as an itemized deduction pursuant to the federal internal revenue code or have not been reimbursed by insurance. As used in this subsection, "health care sharing ministry" is a faith based organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code that: (A) Limits its membership to those whose are of a similar faith; (B) acts as an organizational clearinghouse for information between members or subscribers who have financial, physical or medical needs and members or subscribers with the present ability to assist those with present financial or medical needs; (C) provides for the financial or medical needs of a member or subscriber through gifts directly from one member or subscriber to another. The requirements of this subsection may be satisfied by a trust established solely for the benefit of members or subscribers, which trust is audited annually by an independent auditing firm; (D) provides amounts that members or subscribers may give with no assumption of risk or promise to pay either among the members or subscribers or between the members or subscribers and such organization; (E) provides a written monthly statement to all members or subscribers, listing the total dollar amount of qualified needs submitted to such organization, as well as the amount actually published or assigned to members or subscribers for voluntary payment; and (F) provides a written disclaimer on or accompanying all promotional or informational publications or documents distributed by or on behalf of the organization, including applications, and guideline materials that states that: "This publication is not an insurance company nor is it offered through an insurance company. Whether anyone chooses to assist you with your medical bills will be totally voluntary, as no other subscriber or member will be compelled by law to contribute toward your medical bills. As such, this publication should never be considered to be insurance. Whether you receive any payments for medical expenses and whether or not this publication continues to operate, you are always personally responsible for the payment of your own medical bills."*

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be

determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.”;

And by renumbering the remaining sections accordingly;

On page 66, in line 3, by striking “and” and inserting a comma; also in line 3, after “75-7427” by inserting “and 79-32,117”;

On page 1, in the title, in line 12, by striking “and” the first time it appears and inserting a comma; also in line 12, after “75-7427” by inserting “and 79-32,117”;

Roll call was demanded.

On roll call, the vote was: Yeas 55; Nays 59; Present but not voting: 0; Absent or not voting: 11.

Yeas: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Dahl, Donohoe, Faber, Fund, Goico, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Huebert, Humerickhouse, Kelsey, Kiegerl, King, Kinzer, Knox, Light, Mast, Masterson, Merrick, Metsker, Jim Morrison, Myers, Neufeld, O’Neal, Olson, Otto, Patton, Pauls, Peck, Powell, Powers, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Tafanelli, Treaster, Vickrey, Watkins, Whitham, Williams, B. Wolf, K. Wolf, Yoder.

Nays: Ballard, Burroughs, Carlin, Colloton, Colyer, Craft, Crum, Davis, Dillmore, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Hawk, Henry, Hill, Holland, Horst, Huntington, Johnson, Kuether, Landwehr, Lane, Loganbill, Long, Lukert, Mah, McKinney, McLachlan, McLeland, Menghini, Moxley, Neighbor, Owens, Palmer, Phelps, Pottorff, Proehl, Quigley, Rardin, Roth, Ruff, Ruiz, Sawyer, Spalding, Storm, Svaty, Swanson, Swenson, Tietze, Trimmer, Ward, Wetta, Wilk, Winn, Worley.

Present but not voting: None.

Absent or not voting: Crow, Faust-Goudeau, George, Gordon, Grant, Henderson, Kelley, McCray-Miller, Judy Morrison, Peterson, Sloan.

The motion of Rep. Peck did not prevail, and **H. Sub. for SB 81** be passed as amended.

CHANGE OF CONFEREES

Speaker pro tem Dahl announced the appointment of Rep. Carlin as a member of the conference committee on **S. Sub. for HB 2001** to replace Rep. Feuerborn.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 584** be amended on page 3, after line 25, by inserting the following:

“Sec. 7. The provisions of sections 1 through 6, and amendments thereto, shall be effective on and after October 1, 2008.”;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 40, before “October” by inserting “and after”;

On page 5, in line 11, before “October” by inserting “and after”;

On page 6, by striking all in lines 10 through 43;

On page 7, by striking all in lines 1 through 27, and inserting the following:

“Sec. 10. K.S.A. 2007 Supp. 36-503 is hereby amended to read as follows: 36-503. (a) It shall be unlawful for any person to engage in the business of conducting a food service establishment unless such person shall have in effect a valid license therefor issued by the secretary of health and environment, except that any food service establishment providing only a device for the convenience and operation by a customer for the purpose of heating prepackaged food with no provision for consumption of food on the premises, or any food service establishment licensed by the secretary pursuant to any other law and maintained in connection with any premises licensed by the secretary pursuant to any other law shall not be required to obtain a license under this section, nor shall any person engaged only in the serving of food on railway dining cars or in the occasional sale or serving of food be required to obtain a license hereunder. For the purpose of this section, the sale or serving of food in the same location less than seven days in any calendar year shall be construed as the occasional sale or serving of food. *For the purpose of this section, hotels that provide only complimentary food service to only that hotel’s overnight guests shall not be required to purchase a food service license separate from the lodging establishment license. This exemption from licensing does not exempt any food service establishment inside the hotel*”

from inspection or regulation. Nothing in this act shall prevent the secretary of health and environment from inspecting any food service establishment when a complaint against such food service establishment is transmitted to the secretary of health and environment or any authorized agent thereof except that no provision of this act shall be construed to authorize the secretary of health and environment to inspect or cause to be inspected under the provisions of this act any food service establishment licensed by the secretary of health and environment pursuant to any other law or maintained in connection with any premises licensed by the secretary pursuant to any other law which food service establishment is not required to obtain a license under this section.

(b) Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by an application fee and by a license fee, each of which shall be established in an amount fixed by rules and regulations adopted by the secretary of health and environment. Application fees may be adjusted in accordance with the type of establishment or based on other criteria as determined by the secretary, but in no event shall any application fee exceed \$200. Such license fee shall not exceed \$200 and shall be fixed in an amount which, together with the application fee, is sufficient to defray the cost of administering the food service establishment inspection and licensure activities of the secretary. Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the food service establishment designated in the application, to determine that it complies with the standards for food service establishments promulgated pursuant to this act. If such food service establishment is found to be in compliance, the secretary shall issue the license. If the application for license is denied, the secretary shall give written notice thereof to the applicant, stating also that the applicant is entitled to a hearing thereon if a written request therefor is filed with the secretary within 20 days of the date such notice is sent. Such hearing shall be held in accordance with the provisions of the Kansas administrative procedure act.

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

(d) Any person who, on the effective date of this act, has a valid license to operate a restaurant shall be a licensee under the provisions of this act, and any such license is hereby deemed to be a license to operate a food service establishment issued under the provisions of this act.

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

Sec. 11 On and after October 1, 2008, K.S.A. 2007 Supp. 36-503, as amended by section 10 of 2008 Senate Bill No. 584, is hereby amended to read as follows: 36-503. (a) It shall be unlawful for any person to engage in the business of conducting a food service establishment unless such person shall have in effect a valid license therefor issued by the secretary of ~~health and environment~~ *agriculture*, except that any food service establishment providing only a device for the convenience and operation by a customer for the purpose of heating prepackaged food with no provision for consumption of food on the premises, or any food service establishment licensed by the secretary pursuant to any other law and maintained in connection with any premises licensed by the secretary pursuant to any other law shall not be required to obtain a license under this section, nor shall any person engaged only in the serving of food on railway dining cars or in the occasional sale or serving of food be required to obtain a license hereunder. For the purpose of this section, the sale or serving of food in the same location less than seven days in any calendar year shall be construed as the occasional sale or serving of food. For the purpose of this section, hotels that provide only complimentary food service to only that hotel's overnight guests shall not be required to purchase a food service license separate from the lodging establishment license. This exemption from licensing does not exempt any food service establishment inside the hotel from inspection or regulation. Nothing in this act shall prevent the secretary of ~~health and environment~~ *agriculture* from inspecting any food service establishment when a complaint

against such food service establishment is transmitted to the secretary of ~~health and environment~~ *agriculture* or any authorized agent thereof except that no provision of this act shall be construed to authorize the secretary of ~~health and environment~~ *agriculture* to inspect or cause to be inspected under the provisions of this act any food service establishment licensed by the secretary of ~~health and environment~~ *agriculture* pursuant to any other law or maintained in connection with any premises licensed by the secretary pursuant to any other law which food service establishment is not required to obtain a license under this section.

(b) Applications for such licenses shall be made on forms prescribed by the secretary, and each such application shall be accompanied by an application fee and by a license fee, each of which shall be established in an amount fixed by rules and regulations adopted by the secretary of ~~health and environment~~ *agriculture*. Application fees may be adjusted in accordance with the type of establishment or based on other criteria as determined by the secretary, but in no event shall any application fee exceed \$200. Such license fee shall not exceed \$200 and shall be fixed in an amount which, together with the application fee, is sufficient to defray the cost of administering the food service establishment inspection and licensure activities of the secretary. Prior to the issuance of any such license, the secretary shall inspect or cause to be inspected the food service establishment designated in the application, to determine that it complies with the standards for food service establishments promulgated pursuant to this act. If such food service establishment is found to be in compliance, the secretary shall issue the license. If the application for license is denied, the secretary shall give written notice thereof to the applicant, stating also that the applicant is entitled to a hearing thereon if a written request therefor is filed with the secretary within 20 days of the date such notice is sent. Such hearing shall be held in accordance with the provisions of the Kansas administrative procedure act.

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

(d) Any person who, on the effective date of this act, has a valid license to operate a restaurant shall be a licensee under the provisions of this act, and any such license is hereby deemed to be a license to operate a food service establishment issued under the provisions of this act.

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

And by renumbering the remaining sections accordingly;

Also on page 7, in line 28, before “October” by inserting “and after”;

On page 9, in line 35, before “October” by inserting “and after”;

On page 10, in line 25, before “October” by inserting “and after”;

On page 11, in line 23, before “October” by inserting “and after”;

On page 12, in line 36, before “October” by inserting “and after”;

On page 13, in line 28, before “October” by inserting “and after”; in line 32, by striking “this act and the bureau of epidemiology” and inserting “K.S.A. 2007 Supp. 74-593, and amendments thereto, and the division of health”; in line 39, after the stricken material by inserting the following:

“The department of health and environment shall be the lead agency for public health matters when human illness or disease occurs. The division of food safety and the division of health shall cooperate in the investigation of a food borne illness. Such cooperation includes regular and special inspections of establishments, timely notification of potential outbreaks, interview of facility personnel, food and ingredient sample collection and processing, records sharing, training and dissemination of information.

Sec. 18. K.S.A. 2007 Supp. 36-503 is hereby repealed.”; And by renumbering the remaining sections accordingly;

Also on page 13, in line 40, before “October” by inserting “and after”; in line 41, after “36-503,” by inserting “as amended by section 10 of 2008 Senate Bill No. 584.”;

On page 1, in the title, in line 10, after “transferring” by inserting “certain”; in line 12, after the semicolon, by inserting “food service establishments, licensure;”; in line 14, after “503,” by inserting “36-503, as amended by section 10 of 2008 Senate Bill No. 584,”; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 385** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 385,” as follows:

“HOUSE Substitute for SENATE BILL No. 385

By Committee on Appropriations

“AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; the Kansas public employees act of 2009; retirement plan compliance with federal law; withdrawal of contributions; service credit between systems; amending K.S.A. 12-5005, 13-14a02, 13-14a10, 13-14a13, 14-10a02, 14-10a13, 20-2601, 20-2623, 72-5501, 74-4912, 74-4919b, 74-4924, 74-4988, 74-4998c, 74-49,105, 74-49,122, 74-49,123 and 74-49,124 and K.S.A. 2007 Supp. 74-4902, 74-49,202, 74-49,203, 74-49,207 and 74-49,208 and repealing the existing sections; also repealing K.S.A. 74-4917a.”; and the substitute bill be passed.

(**H. Sub. for SB 385** was thereupon introduced and read by title.)

Committee on **Education** recommends **HCR 5039** be adopted.

Committee on **Education** recommends **SB 401** be amended on page 2, in line 19, after “facility” by inserting “or a youth residential center”;

On page 5, in line 9, by striking “has the meaning” and inserting “and “youth residential center” have the meanings”; in line 15, after “facility” by inserting “or a youth residential center”; in line 21, after “facility” by inserting “or a youth residential center”; in line 43, after “facility” by inserting “or a youth residential center”;

On page 6, in line 21, after “facility” by inserting “or a youth residential center”; following line 32, by inserting:

“(4) “youth residential center” means a youth residential center II which provides educational services at the center.”; and the bill be passed as amended.

Committee on **Elections and Governmental Organization** recommends **SB 438** 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 **Energy and Utilities** recommends **SB 469** 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 **Energy and Utilities** recommends **SB 148** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 148,” as follows:

“HOUSE Substitute for SENATE BILL No. 148

By Committee on Energy and Utilities

“AN ACT concerning energy; relating to conservation and electric generation, transmission and efficiency and air emissions; amending K.S.A. 65-3008b, 65-3012 and 66-104d and K.S.A. 2007 Supp. 65-3005, 65-3008a, 66-1,184 and 74-616 and repealing the existing sections.”;

and the substitute bill be passed.

(**H. Sub. for SB 148** was thereupon introduced and read by title.)

Committee on **Energy and Utilities** recommends **SB 570** be amended on page 1, in line 20, after the period by inserting “For sales or purchase of telephone exchanges by one or more Kansas headquartered companies, the state corporation commission has 120 days to make a determination. For mergers or acquisitions of, and by price cap companies in which the partner is another price cap company or a non-Kansas headquartered company, the commission has 180 days to make a determination.”; in line 40, by striking all after “services”; by striking all in lines 41 through 43;

On page 2, by striking all in lines 1 and 2; in line 3, by striking “state,”; by striking all in lines 4 through 43;

By striking all on pages 3 through 12;

On page 13, by striking all in lines 1 through 38 and inserting the following:

“New Sec. 2. As used in sections 2 through 6, and amendments thereto:

(a) "Broadband" means any synchronous or asynchronous transmission technology capable of speeds of at least 200 kilobits per second in both directions to and from customer and provider.

(b) "Census tract" means a tract identified on the most recent official United States decennial census maps.

(c) "Commission" means the state corporation commission.

(d) "Department" means the department of commerce.

(e) "Government" means the state and any department, agency, authority, institution or instrumentality thereof, any county, township, city, school district or other political or taxing subdivision of the state and any other not-for-profit entity primarily funded by appropriations from tax revenues.

(f) "Potential broadband customer" means any residential, commercial or government customer that could receive broadband service through existing telephone or cable lines and has subscribed to such service, has elected not to subscribe to such service or cannot subscribe to such service because such service is not provided.

(g) "Provider" means a provider of wireless, wireline, cable-modem and other technological means of providing high speed internet access service to persons who are domiciled in Kansas.

(h) "Underserved rural areas" means that no more than 15% of potential broadband customers in a census tract are capable of receiving broadband of at least 386 kilobits per second in both directions in accordance with the provisions of sections 3 through 6, and amendments thereto.

New Sec. 3. On or before October 1, 2008, subject to the provisions of section 5, and amendments thereto, each provider of broadband service shall submit to the department information presenting the geographic areas where customers are capable of receiving broadband service from such provider. The department shall not require subsequent annual reports from providers who document the geographic areas where customers are capable of receiving broadband. This section shall apply to all providers that provide broadband service, including satellite transmission.

New Sec. 4. (a) On or before January 15, 2009, and annually thereafter, subject to the provisions of section 5, and amendments thereto, the department shall report to the legislature on broadband service being provided in the state of Kansas. Such report shall include the following information:

(1) A report by census tract or other identifiable geographic unit indicating whether broadband service is available and the number of providers that offer service to customers in each census tract;

(2) beginning with the department's report in 2010, a report by census tract of the change in: (A) The number of broadband providers; and (B) the geographic area or census tract where broadband service is available.

(b) The department shall maintain the information provided by each provider pursuant to section 3, and amendments thereto, as confidential and shall report only the aggregated information by census tract to the legislature.

(c) The department may adopt rules and regulations as necessary to establish the form and manner in which the provider information shall be submitted and to fulfill all other requirements of the department under this act.

(d) The department shall, in addition to those reports required by subsection (a), on or before January 15, 2008, and annually thereafter, report to the legislature the names of the broadband service providers that fail to comply with the reporting requirements of section 3, and amendments thereto.

New Sec. 5. In the event the federal government or any federal agency implements a national program to collect information regarding broadband service deployment, the provisions of section 3 and subsection (a) of section 4, and amendments thereto, shall no longer be effective, and the department shall collect such broadband service data and report such data to the legislature in a form and manner that is in conformance with such federal program.

New Sec. 6. Nothing in sections 2 through 5, and amendments thereto, shall be construed as authorizing the department to regulate the provision of broadband service in any manner not already otherwise authorized pursuant to federal or state law.”;

And by renumbering the remaining sections accordingly;

Also on page 13, in line 39, by striking all after “66-127” and inserting “is”;

In the title, in line 11, after the semicolon by inserting “relating to broadband development;”; also in line 11, by striking all after “66-127”; in line 12, by striking all before “and”; also in line 12, by striking “sections” and inserting “section”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2801** be passed.

Committee on **Federal and State Affairs** recommends **HB 2818** be amended on page 3, in line 43, before the semicolon by inserting “. Pursuant to this paragraph, the petitioner shall only be required to disclose convictions, adjudications or diversions described in subsection (a)(6) of K.S.A. 2007 Supp. 75-7c04, and amendments thereto, during the five years immediately preceding the date the application is submitted. All other arrests, convictions, adjudications or diversions described in subsection (a)(6) of K.S.A. 2007 Supp. 75-7c04, and amendments thereto, shall not be required to be disclosed”;

On page 9, in line 40, before the semicolon by inserting “. Pursuant to this paragraph, the petitioner shall only be required to disclose convictions, adjudications or diversions described in subsection (a)(4)(A) or (a)(6) of K.S.A. 2007 Supp. 75-7c04, and amendments thereto, during the five years immediately preceding the date the application is submitted. All other arrests, convictions, adjudications or diversions described in subsection (a)(4)(A) or (a)(6) of K.S.A. 2007 Supp. 75-7c04, and amendments thereto, shall not be required to be disclosed”;

On page 12, following line 8, by inserting:

“Sec. 3. K.S.A. 2007 Supp. 75-7c04 is hereby amended to read as follows: 75-7c04. (a) On and after January 1, 2007, the attorney general shall issue a license pursuant to this act if the applicant:

(1) Is a resident of the county where application for licensure is made and has been a resident of the state for six months or more immediately preceding the filing of the application, residency to be determined in accordance with K.S.A. 77-201, and amendments thereto;

(2) is 21 years or more of age;

(3) does not suffer from a physical infirmity which prevents the safe handling of a weapon;

(4) (A) has ~~never~~ not been, *during the five years immediately preceding the date the application is submitted*, convicted or placed on diversion, in this or any other jurisdiction, for an act that constitutes a felony under the laws of this state or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a felony under the laws of this state if committed by an adult, *if such felony may be expunged and has been expunged pursuant to K.S.A. 21-4619, and amendments thereto; or*

(B) *has never been convicted or placed on diversion, in this or any other jurisdiction, for an act that constitutes a felony under the laws of this state or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a felony under the laws of this state if committed by an adult, if such felony can not be expunged pursuant to K.S.A. 21-4619, and amendments thereto;*

(5) has never been convicted, in this or any other jurisdiction, for an act that constitutes a misdemeanor crime of domestic violence, as defined by 18 U.S.C. 921(a)(33)(A) or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a misdemeanor crime of domestic violence under 18 U.S.C. 921(a)(33)(A) if committed by an adult;

(6) has not been, during the five years immediately preceding the date the application is submitted: (A) Convicted or placed on diversion, in this or any other jurisdiction, for an act that constitutes a misdemeanor under the provisions of the uniform controlled substances act or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a misdemeanor under such act if committed by an adult; (B) convicted or placed on diversion, in this or any other jurisdiction, two or more times for an act that constitutes a violation of K.S.A. 8-1567, and amendments thereto; (C) convicted or placed on diversion,

in this or any other jurisdiction, for an act that constitutes a domestic violence misdemeanor under any municipal ordinance or article 34 or 35 of chapter 21 of the Kansas Statutes Annotated or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a domestic violence misdemeanor under article 34 or 35 of chapter 21 of the Kansas Statutes Annotated if committed by an adult; or (D) convicted or placed on diversion, in this or any other jurisdiction, for an act that constitutes a violation of K.S.A. 2007 Supp. 75-7c12, and amendments thereto, or a violation of subsection (a)(4) of K.S.A. 21-4201, and amendments thereto, or adjudicated, in this or any other jurisdiction, of committing as a juvenile an act that would be a violation of K.S.A. 2007 Supp. 75-7c12, and amendments thereto, or a violation of subsection (a)(4) of K.S.A. 21-4201, and amendments thereto, if committed by an adult;

(7) has not been charged with a crime which would render the applicant, if convicted, ineligible for a license or, if so charged, final disposition of the charge has occurred and no other charges are pending which would cause the applicant to be ineligible for a license;

(8) has not been ordered by a court to receive treatment for mental illness pursuant to K.S.A. 59-2966, and amendments thereto, or for an alcohol or substance abuse problem pursuant to K.S.A. 59-29b66, and amendments thereto, or, if a court has ordered such treatment, has not been issued a certificate of restoration pursuant to K.S.A. 2007 Supp. 75-7c26, and amendments thereto, not less than five years before the date of the application;

(9) desires a legal means to carry a concealed weapon for lawful self-defense;

(10) except as provided by subsection (g) of K.S.A. 2007 Supp. 75-7c05, and amendments thereto, presents evidence satisfactory to the attorney general that the applicant has satisfactorily completed a weapons safety and training course approved by the attorney general pursuant to subsection (b);

(11) has not been adjudged a disabled person under the act for obtaining a guardian or conservator, or both, or under a similar law of another state or the District of Columbia, unless the applicant was ordered restored to capacity three or more years before the date on which the application is submitted;

(12) has not been dishonorably discharged from military service;

(13) is a citizen of the United States;

(14) is not subject to a restraining order issued under the protection from abuse act, under the protection from stalking act or pursuant to K.S.A. 60-1607, K.S.A. 2007 Supp. 38-2242, 38-2243 or 38-2255, and amendments thereto, or any equivalent order entered in another state or jurisdiction which is entitled to full faith and credit in Kansas; and

(15) is not in contempt of court in a child support proceeding.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour weapons safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of weapons, actual firing of weapons and instruction in the laws of this state governing the carrying of a concealed weapon and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic firearms training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A weapons course certified or sponsored by the attorney general; or (ii) a weapons course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or weapons training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the weapons safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved weapons safety and training course: (A) Evidence of completion of the course, in the form provided by rules and regulations adopted by the attorney general;

or (B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant.

(c) In addition to the requirements of subsection (a), a person holding a license pursuant to this act, prior to renewal of the license provided herein, shall submit evidence satisfactory to the attorney general that the licensee has requalified by completion of an approved course given by an instructor of an approved weapons safety and training course under subsection (b).

(d) If an applicant has had a conviction, adjudication or diversion described in subsection (a)(4)(A) or (a)(6) expunged pursuant to K.S.A. 12-4516 or 21-4619, and amendments thereto, five years or more preceding the date the application is submitted, the applicant shall not be disqualified from being issued a license if the applicant is otherwise qualified for licensure pursuant to this section.;

And by renumbering the remaining sections accordingly;

Also on page 12, in line 9, after "12-4516" by inserting "and 75-7c04";

In the title, in line 10, after "12-4516" by inserting "and 75-7c04"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 46** be amended on page 1, following line 23, by inserting:

"Sec. 2. K.S.A. 21-4201 is hereby amended to read as follows: 21-4201. (a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

(2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) carrying any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business;

(5) setting a spring gun;

(6) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(7) selling, manufacturing, purchasing, possessing or carrying a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger; or

(8) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight.

(b) Subsections (a)(1), (2), (3), (4) and (7) shall not apply to or affect any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) manufacture of, transportation to, or sale of weapons to a person authorized under subsections (b)(1), (2) and (3) to possess such weapons.

(c) Subsection (a)(4) shall not apply to or affect the following:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) licensed hunters or fishermen, while engaged in hunting or fishing;

(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto; or

(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a and amendments thereto.

(d) Subsections (a)(1), (6) and (7) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(8) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(6) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(6); and

(3) in possession of commercially manufactured devices which are: (A) Owned by the law enforcement agency; (B) in such officer's possession only during specific operations; and (C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(6), (7) and (8) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(6), (7) and (8) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsection (a)(4) shall not apply to any person carrying a concealed weapon as authorized by K.S.A. 2007 Supp. 75-7c01 through 75-7c17, and amendments thereto.

(i) *Subsections (a)(6) and (7) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. 5801 et seq.*

~~(j)~~ (j) It shall be a defense that the defendant is within an exemption.

~~(k)~~ (k) Violation of subsections (a)(1) through (a)(5) is a class A nonperson misdemeanor. Violation of subsection (a)(6), (a)(7) or (a)(8) is a severity level 9, nonperson felony.

~~(l)~~ (l) As used in this section, "throwing star" means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.;

And by renumbering the remaining sections accordingly;

Also on page 1, in line 24, by striking "21-4205 is" and inserting "21-4201 and 21-4205 are";

Also on page 1, in the title, in line 9, by striking all after the first semicolon; in line 10, after "K.S.A." by inserting "21-4201 and"; also in line 10, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2543** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2543," as follows:

“Substitute for HOUSE BILL No. 2543

By Committee on Taxation

“AN ACT concerning property taxation; relating to exemptions; newly constructed building or other structure on residential property; procedures; duties of county or district appraiser.”; and the substitute bill be passed.

(**Sub. HB 2543** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2928** be amended on page 2, in line 13, by striking “July 1, 2008” and inserting “making the claim for deferral”; in line 26, by striking “and”; in line 28, by striking “market” and inserting “appraised”; in line 29, after “property” by inserting the following:

“as determined by the county or district appraiser; and

(g) the property is insured by a property and casualty insurance policy”;

Also on page 2, in line 32, by striking all before “issuance” and inserting the following:

“(a) The pooled money investment board is hereby authorized to loan to the department of revenue to meet payment obligations of the department pursuant to the provisions of this act. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide funds for such loans. Upon certification to the pooled money investment board by the secretary of revenue of the amount of each loan authorized pursuant to this act, the pooled money investment board shall transfer each such amount to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the senior citizen property tax deferral fund, which shall not be a part of the state treasury. All expenditures from such fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of revenue or by a person or persons designated by the secretary. Amounts deposited under this section shall not be subject to any limitation imposed by any appropriation act by the legislature.

(b) Upon”;

Also on page 2, in line 33, by striking “the department shall”; in line 34, by striking “pay” and inserting “there shall be paid”; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 510** be amended on page 2, after line 15, by inserting the following:

“New Sec. 2. In accordance with the provisions of section 1 of article 11 of the Constitution of the State of Kansas, a bed, body or box that is regularly used predominantly in a business or industry and is attached to a motor vehicle, except for a bed, body or box that is attached to the motor vehicle by the motor vehicle manufacturer, shall be classified for property tax purposes within subclass 5 of class 2 of section 1 of article 11 of the Constitution of the State of Kansas. All such property shall be valued in accordance with the provisions of subsection (b)(2)(E) of K.S.A. 79-1439, and amendments thereto.”;

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 11, after the semicolon, by inserting “classification and valuation of certain property used in business or industry.”; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2984, An act relating to water; concerning the Republican river and the disposition of moneys recovered from certain litigation; establishing the Republican river water conservation projects fund, by Committee on Taxation.

HB 2985, An act concerning drainage and levees; relating to excavation by drainage districts; amending K.S.A. 24-132 and repealing the existing section, by Committee on Appropriations.

HB 2986. An act concerning water; relating to certain fees imposed on sale and appropriation of water; providing for certain studies relating thereto; making and concerning appropriations for the fiscal years ending June 30, 2009 and June 30, 2010 for the Kansas water office; amending K.S.A. 76-338 and repealing the existing section, by Committee on Appropriations.

HB 2987. An act concerning the state board of regents; deferred maintenance support funding; authorizing a pilot investment program for investment of the idle funds of a state educational institution; prescribing certain guidelines, powers, duties, functions and limitations therefor, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Dahl announced the withdrawal of **HB 2983** from Committee on Health and Human Services and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6022—

By Representatives K. Wolf and Pottorff

A RESOLUTION observing the month of March as National Colon Cancer Awareness Month and recognizing the need for all adult Kansans age 50 and older to undergo preventive colorectal cancer screening to detect colon cancer early when it is most curable.

WHEREAS, Colon cancer is the second leading cause of cancer-related death in the United States with at least 500 Kansans expected to die of colon cancer this year; and

WHEREAS, If detected early, the colon cancer survival rate is greater than 90% as compared to the survival rate of only 10% for those whose colon cancer is detected in its advanced stages; and

WHEREAS, Most deaths are preventable when precancerous growths can be detected through preventive screenings and be removed without invasive surgery before they become cancerous; and

WHEREAS, Greater public awareness of the need to begin preventive screening at age 50 at intervals suggested by the American Cancer Society will lead to early detection that saves lives; and

WHEREAS, Many insurance companies are to be commended for providing coverage for this important preventive colorectal screening; and

WHEREAS, Other insurance companies are encouraged to also provide this important preventive screening coverage to further increase the use of screening and the survival rate: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we proudly join with others in observing the month of March as National Colon Cancer Awareness Month and urge all adult Kansans age 50 and older to undergo preventive colorectal cancer screening to detect colon cancer early when it is most curable.

REPORT ON ENGROSSED BILLS

HB 2811, HB 2936, HB 2946, HB 2947 reported correctly engrossed March 21, 2008.

REPORT ON ENROLLED BILLS

HB 2659, HB 2695, HB 2702, HB 2708, HB 2735; Sub. HB 2757; HB 2781, HB 2824, HB 2847 reported correctly enrolled, properly signed and presented to the governor on March 24, 2008.

On motion of Rep. Merrick, the House adjourned until 10:30 a.m., Tuesday, March 25, 2008.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

