

HOUSE CALENDAR

No. 23

Thursday, February 12, 2004
HOUSE CONVENES AT 11:00 a.m. TODAY

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

READING AND CORRECTION OF JOURNAL

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

Reference of Bills and Concurrent Resolutions

2808--

HB 2808, An act concerning civil procedure for limited actions; relating to the filing of an answer; amending K.S.A. 2003 Supp. 61-2904 and repealing the existing section.

Representative Patterson

(Judiciary)

2809--

HB 2809, An act concerning workers compensation; relating to liability of employers and other employees; amending K.S.A. 44-501 and repealing the existing section.

Committee on Commerce and Labor

(Commerce and Labor)

2810--

HB 2810, An act concerning certain telemarketing and telephone center services; imposing certain restrictions regarding state contracts for such services; requiring disclosure of certain information to customers; prohibiting certain use of personal identification information; providing remedies and penalties for violations.

Representative Swenson

(Commerce and Labor)

2811--

HB 2811, An act concerning municipal judges; relating to the election thereof; amending K.S.A. 12-1036g, 12-4105, 12-4107, 13-527, 13-628a, 14-201, 14-205, 14-1501, 14-1502, 14-1503, 15-204, 15-209, 15-1601, 15-1602 and 15-1603 and repealing the existing sections; also repealing K.S.A. 13-6281.

Representatives Huy, Brunk, Goering, Goico, Huebert, E. Johnson, Kauffman, Mays, Merrick, Judy Morrison, Novascone, Patterson, Pauls, Sawyer, Thimesch, Toelkes, D. Williams

(Ethics and Elections)

2812--

HB 2812, An act relating to compensation and expense allowances for legislators; amending K.S.A. 46-137a and 75-3215 and repealing the existing sections.

Committee on Appropriations

(Appropriations)

2813--

HB 2813, An act concerning health care records; relating to the abandonment thereof.

Committee on Judiciary

(Health and Human Services)

2814--

HB 2814, An act concerning admissible evidence; amending K.S.A. 60-445 and repealing the existing section.

Committee on Corrections and Juvenile Justice

(Corrections and Juvenile Justice)

2815--

HB 2815, An act concerning crimes, punishment and criminal procedure; amending K.S.A. 21-3511 and K.S.A. 2003 Supp. 21-4603d, 21-4704 and 22-3303 and repealing the existing sections.

Committee on Corrections and Juvenile Justice

(Corrections and Juvenile Justice)

2816--

HB 2816, An act concerning workers compensation; relating to discounts for workplace safety consultation.

Representative Ward

(Commerce and Labor)

2817--

HB 2817, An act concerning consumer protection; relating to debit or credit transactions.

Representative Ward

(Judiciary)

2818--

HB 2818, An act concerning the employment of illegal aliens; amending K.S.A. 21-4409 and K.S.A. 2003 Supp. 21-4503a and repealing the existing sections.

Committee on Commerce and Labor

(Commerce and Labor)

2819--

HB 2819, An act enacting the adult care home group-funded pool act; authorizing adult care homes to pool liabilities; providing certificate of authority to operate pools and providing for the regulation thereof; amending K.S.A. 40-2121, 40-2209, 40-2209f, 40-2259, 40-3606, 44-559a and 65-474 and repealing the existing sections.

Committee on Health and Human Services

(Health and Human Services)

2820--

HB 2820, An act concerning the state board of healing arts; relating to actions taken for unprofessional conduct; expiration of licenses and registrations; creation of designations for certain licenses; amending K.S.A. 65-2005, 65-2012, 65-28a03, 65-5410, 65-5412, 65-5510, 65-5512, 65-7208 and 65-7209 and K.S.A. 2003 Supp. 65-2910 and repealing the existing sections.

Committee on Health and Human Services

(Health and Human Services)

2821--

HB 2821, An act concerning economic development; relating to recapture of development subsidy values.

Representative Swenson

(Economic Development)

2822--

HB 2822, An act concerning long-term care insurance; requiring standardization of policies.

Representative Swenson

(Insurance)

2823--

HB 2823, An act concerning insurance; providing maternity coverage for dependent children; amending K.S.A. 2003 Supp. 40-2,103 and 40-19c09 and repealing the existing sections.

Representative Swenson

(Insurance)

2824--

HB 2824, An act creating the health care for seniors fund; concerning the disposition of a sales tax and compensating use tax proceeds; prescribing certain powers, duties and functions for the secretary of aging and secretary of revenue; amending K.S.A. 2003 Supp. 79-3620 and 79-3710 and repealing the existing sections.

Representatives Rehorn and Patterson, Ballard, Bethell, Boyer, Cox, Crow, Davis, Gilbert, Horst, Huff, Hutchins, Kirk, Loganbill, Merrick, Jim Morrison, Judy Morrison, Neighbor, Toelkes, Yonally

(Appropriations)

2825--

HB 2825, An act concerning crimes and punishment; relating to endangering the food supply; amending K.S.A. 2003 Supp. 21-4221 and repealing the existing section.

Representative Barbieri-Lightner

(Corrections and Juvenile Justice)

2826--

HB 2826, An act concerning the department of social and rehabilitation services; enacting the grandparents as foster parents act; prescribing powers, duties and functions for the secretary of social and rehabilitation services; prescribing certain guidelines and other criteria therefor.

Representatives Patterson and Rehorn, Ballard, Barbieri-Lightner, Bethell, Boyer, Burroughs, Carlin, Cox, Crow, DeCastro, Flaharty, Gatewood, Gilbert, Gordon, Grant, Hayzlett, Horst, Huff, Hutchins, Huy, Kirk, Klein, Kuether, Loganbill, Mays, McKinney, Merrick, Jim Morrison, Judy Morrison, Neighbor, Ostmeyer, Pauls, Phelps, Ruff, S. Sharp, Showalter, Sloan, Swenson, Toelkes, Ward, Yonally

(Judiciary)

2827--

HB 2827, An act concerning homestead property tax refunds; amending K.S.A. 79-4509 and repealing the existing section.

Representatives Patterson and Rehorn, Barbieri-Lightner, Bethell, Boyer, Burroughs, Cox, Crow, DeCastro, Flaharty, Gatewood, Gilbert, Gordon, Horst, Huff, Hutchins, Kirk, Loganbill, McKinney, Merrick, Jim Morrison, Judy Morrison, Neighbor, Sloan, Toelkes,

Ward, Yonally

(Taxation)

2828--

HB 2828, An act concerning commerce; relating to fairness in contracting for public construction projects; amending K.S.A. 75-6402 and 75-6403 and repealing the existing sections.

Representative Patterson

(Commerce and Labor)

2829--

HB 2829, An act concerning commerce; relating to fairness in contracting for private construction projects.

Representative Patterson

(Commerce and Labor)

2830--

HB 2830, An act concerning alcoholic liquor; relating to retailers' licenses; amending K.S.A. 41-308 and repealing the existing section.

Representative Patterson

(Federal and State Affairs)

2831--

HB 2831, An act concerning crimes, punishment and criminal procedure; relating to a prison sanction of drug and alcohol abuse treatment program for certain offenders; amending K.S.A. 75-5202 and K.S.A. 2003 Supp. 8-1567, 21-4602, 21-4704, 38-1602, 72-978, 75-3765 and 76-3201 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 76-3205.

Representative Owens

(Corrections and Juvenile Justice)

2832--

HB 2832, An act concerning emergency medical services; relating to attendant certification; amending K.S.A. 65-6129 and repealing the existing section.

Committee on Appropriations

(Health and Human Services)

2833--

HB 2833, An act relating to roads and highways; designation certain parts of certain roads and highways; amending K.S.A. 68-1010 and repealing the existing section.

Committee on Transportation

(Transportation)

2834--

HB 2834, An act concerning taxation; relating to development excise taxes; requirements of municipalities thereto.

Representative Patterson

(Taxation)

2835--

HB 2835, An act defining and classifying the crime of unlawful use of a recording device.

Committee on Federal and State Affairs

(To be Referred)

2836--

HB 2836, An act concerning horse pulling; providing for adoption and enforcement of certain standards.

Representative Merrick

(To be Referred)

2837--

HB 2837, An act relating to school districts; concerning school districts with less than 100 pupils; providing for the transfer of territory of school districts; authorizing the levy of an ad valorem tax for the enhancement of teachers' salaries; providing for cost of living weighting; amending K.S.A. 2003 Supp. 72-6407 and repealing the existing section.

Representatives Patterson, Carter, S. Sharp and Merrick, Aurand, Barbieri-Lightner, Boyer, Campbell, Gordon, Huebert, Huff, Huntington, Judy Morrison, Neighbor, Novascone, O'Malley, Owens, Siegfried, Sloan, Yoder and Yonally

(To be Referred)

2838--

HB 2838, An act relating to credit cards; requiring certain notices.

Representative Yonally

(To be Referred)

2839--

HB 2839, An act concerning employment security; amending K.S.A. 2003 Supp. 44-710a and repealing the existing section.

Representative Swenson

(To be Referred)

2840--

HB 2840, An act regarding workers compensation; concerning intentional, wanton and reckless acts; amending K.S.A. 44-501, 44-510e, 44-545 and 44-5a07 and repealing the existing sections.

Representative Ward

(To be Referred)

2841--

HB 2841, An act concerning crimes, punishment and criminal procedure; relating to the maximum statutory prison sentence; amending K.S.A. 21-4719 and K.S.A. 2003 Supp. 21-4704, 21-4705 and 21-4720 and repealing the existing sections.

Representative Ward

(To be Referred)

2842--

HB 2842, An act concerning certain business entities; imposing a franchise tax; franchise fees; amending K.S.A. 17-1513, 17-1618, 17-7510, 17-7511, 17-7512 and 56-1a608 and K.S.A. 2003 Supp. 17-2036, 17-2718, 17-4634, 17-4677, 17-7503, 17-7504, 17-7505, 17-7507, 17-7509, 17-76,125, 17-76,139, 45-221, 56-1a606, 56-1a607, 56a-1201, 56a-1202 and 56a-1203 and repealing the existing sections; also repealing K.S.A. 2003 Supp. 17-7508.

Representative Holland

(To be Referred)

2843--

HB 2843, An act concerning income taxation; relating to credits; certain home repairs.

Representatives O'Malley, Jack, Davis and Siegfried

(To be Referred)

2844--

HB 2844, An act concerning agriculture; enacting the agritourism promotion act.

Representatives Patterson, Barbieri-Lightner, Feuerborn, Goico, Hill, Holland, Jack, Long-Mast, J. Miller, Osborne, Ostmeyer, Pauls, Phelps, Showalter, Svaty and J. Williams

(To be Referred)

2845--

HB 2845, An act concerning medicaid fraud; enacting the medicaid false claims act; relating to asset seizure and forfeiture; amending K.S.A. 60-4107 and 60-4119 and K.S.A. 2003 Supp. 60-4104, 60-4105 and 60-4117 and repealing the existing sections.

Committee on Judiciary

(To be Referred)

2846--

HB 2846, An act concerning jury service; amending K.S.A. 43-155, 43-158, 43-159, 43-165 and 43-173 and repealing the existing sections.

Committee on Judiciary

(To be Referred)

2847--

HB 2847, An act concerning the workers compensation act; relating to medical compensation; amending K.S.A. 2003 Supp. 44-510h and repealing the existing section.

Representative Ruff

(To be Referred)

2848--

HB 2848, An act concerning distinctive license plates; providing for the issuance of the drive for the cure license plate.

Representatives Loganbill, Ballard, Burgess, Carlin, Crow, Davis, Faust-Goudeau, Flaharty, Gilbert, Grant, Henderson, Huntington, Kuether, M. Long, McKinney, Novascone, Pottorff, Ruff, Sawyer, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Svaty, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilson and Winn

(To be Referred)

2849--

HB 2849, An act relating to criminal procedure; concerning certain traffic violations; relating to diversion; amending K.S.A. 12-4416 and 22-2909 and repealing the existing sections.

Representative Newton

(To be Referred)

2850--

HB 2850, An act concerning the state health care benefits program; relating to costs of participation by certain medicare-eligible persons; amending K.S.A. 75-6508 and repealing the existing section.

Representatives Kirk, Burgess, Flora, Gordon, Kuether, Lane and Toelkes

(To be Referred)

2851--

HB 2851, An act concerning crimes and punishment; relating to giving birth without medical assistance.

Representative Long-Mast

(To be Referred)

5036--

HCR 5036, A CONCURRENT RESOLUTION urging the Kansas State Board of Education to expand community service and service learning programs for increased youth volunteer service to enhance appreciation of the needs of elderly persons.

Representatives Rehorn and Patterson, Ballard, Barbieri-Lightner, Bethell, Boyer, Burroughs, Campbell, Cox, DeCastro, Gatewood, Gilbert, Gordon, Hayzlett, Horst, Huff, Hutchins, Kirk, Loganbill, Merrick, Jim Morrison, Judy Morrison, Neighbor, Ostmeyer, B. Sharp, S. Sharp, Sloan, Thimesch, Toelkes, Ward, Yonally
(Education)

5037--

HCR 5037, A CONCURRENT RESOLUTION supporting the inclusion of older job seekers as a hard-to-serve population under the Workforce Investment Act, the funding of statewide worker training and employment services from the 15% state-level set-aside reserve under that act and increased support for and expansion of existing work training and retraining services for older Kansans, including the Older Kansans Employment Program (OKEP), and urges evaluation of certain existing workforce training and retraining programs administered by the Department of Commerce to ensure that such programs meet the needs of older Kansas workers.

Representatives Rehorn and Patterson, Ballard, Barbieri-Lightner, Bethell, Boyer, Burroughs, Campbell, Cox, Crow, Davis, DeCastro, Gilbert, Gordon, Hayzlett, Horst, Huff, Hutchins, Kirk, Loganbill, Merrick, Jim Morrison, Judy Morrison, Neighbor, Ostmeyer, S. Sharp, Showalter, Sloan, Toelkes, Yonally
(Commerce and Labor)

6023--

HR 6023, A resolution supporting an air transportation master plan that transforms the state transportation infrastructure into a catalyst for global business and tourism expansion.

Representatives Myers, Brunk, Carter, DeCastro, Dillmore, Flaharty, Gilbert, Goering, Goico, Hayzlett, Huebert, Huy, Johnson, E., Klein, Landwehr, Loganbill, Long, M., Mason, McCreary, McKinney, McLeland, Novascone, Pottorff, Powell, Powers, Sawyer, Sharp, B., Shriver, Swenson, Thimesch, Thull, Ward and Wilk
(Transportation)

REPORTS OF SELECT COMMITTEES

MESSAGES FROM THE GOVERNOR

COMMUNICATIONS FROM STATE OFFICERS

MESSAGES FROM THE SENATE

**Reference of Senate Bills and
Concurrent Resolutions**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

6007--**HR 6007**, A resolution designating July 16, 2004, as Atomic Veterans Day.

Representative E. Johnson

6014--**HR 6014**, A resolution in memory of Duane S. "Pete" McGill.

Representatives Mays, Aurand, Ballard, Ballou, Barbieri-Lightner, Beggs, Bethell, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Goico, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, M. Long, Long-Mast, Loyd, Mason, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, Scoggins-Waite, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder and Yonally

THE UNFINISHED BUSINESS BEFORE THE HOUSE

Special Order of Business

ERO 32--

Executive Reorganization Order No. 32, Transferring powers, duties and functions of the department of health and environment, the secretary of health and environment, the division of health and environment, the director of the division of health, and the office of the department of health and environment to the department of agriculture and the secretary of agriculture.

Governor Sebelius

(Agriculture)

6020--

HR 6020, A resolution approving Executive Reorganization Order No. 32, relating to the transfer of certain powers, duties and functions to the department of agriculture.

Committee on Agriculture

(Agriculture)

(Be adopted)

Consent Calendar**2612-(Second Day)**

HB 2612, An act concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2003 Supp. 84-9-509 and repealing the existing section.

Committee on Judiciary

(Judiciary)

(Be passed)

Final Action on Bills and Concurrent Resolutions**2136--**

HB 2136, An act designating a portion of United States highway 400 as the 930th ordnance ammunition company by-pass.

Committee on Transportation

(Transportation)

(Be passed as amended)

2347--

HB 2347, An act enacting the Kansas uniform securities act; amending K.S.A. 12-1675, 12-1677b, 12-4516, 16-214, 17-4632, 50-1009, 50-1016, 66-1508, 74-8229 and 75-6302 and K.S.A. 2003 Supp. 17-49a01, 21-4619 and

75-3170a and repealing the existing sections; also repealing K.S.A. 17-1260, 17-1266, 17-1267, 17-1269, 17-1273, 17-1274 and 17-1275 and K.S.A. 2003 Supp. 17-1252, 17-1253, 17-1254, 17-1255, 17-1257, 17-1258, 17-1259, 17-1261, 17-1262, 17-1262a, 17-1263, 17-1264, 17-1264a, 17-1265, 17-1265a, 17-1266a, 17-1268, 17-1270, 17-1270a, 17-1270b, 17-1271 and 17-1272 .

Representative O'Neal

(Judiciary)

(Be passed as amended)

Sub. 2493--

Sub HB 2493, An act relating to education; concerning private and postsecondary institutions; repealing K.S.A. 72-4916, 72-4919, 72-4920, 72-4921, 72-4922, 72-4924 through 72-4937, inclusive, 72-4939, 72-4940 and 74-3249 through 74-3253, inclusive and K.S.A. 2003 Supp. 72-4938.

Committee on Higher Education

(Higher Education)

(Be passed as amended)

Bills Under Consideration to Concur or Nonconcur

General Orders

2530--

HB 2530, An act concerning the cooperative marketing act; relating to removal of officers by board of directors; amending K.S.A. 17-1612 and repealing the existing section.

Committee on Agriculture

(Agriculture)

(Be passed as amended)

2553--

HB 2553, An act concerning municipalities; relating to payment of claims; amending K.S.A. 2003 Supp. 12-105b and repealing the existing section.

Committee on Judiciary

(Judiciary)

(Be passed)

2555--

HB 2555, An act concerning probate; amending K.S.A. 59-2239 and 59-2246 and K.S.A. 2003 Supp. 59-605 and repealing the existing sections.

Committee on Judiciary

(Judiciary)
(Be passed)

2556--

HB 2556, An act amending the Kansas uniform trust code; amending K.S.A. 2003 Supp. 58a-103, 58a-105, 58a-111, 58a-401, 58a-406, 58a-411, 58a-502, 58a-505, 58a-602, 58a-603, 58a-802, 58a-810, 58a-813 and 58a-815 and repealing the existing sections.

Committee on Judiciary

(Judiciary)
(Be passed as amended)

2564--

HB 2564, An act concerning landlords and tenants; relating to the property of the tenant; amending K.S.A. 2003 Supp. 58-2565 and repealing the existing section.

Committee on Judiciary

(Judiciary)
(Be passed as amended)

2565--

HB 2565, An act concerning civil procedure; relating to worthless checks; amending K.S.A. 2003 Supp. 60-2610 and 60-2611 and repealing the existing sections.

Committee on Judiciary

(Judiciary)
(Be passed)

2580--

HB 2580, An act relating to banks and banking; concerning powers thereof; amending K.S.A. 2003 Supp. 9-1101 and repealing the existing section.

Committee on Financial Institutions

(Financial Institutions)
(Be passed as amended)

2641--

HB 2641, An act concerning drainage districts; pertaining to the definition of taxpayer in certain drainage districts; amending K.S.A. 24-414 and 24-459 and repealing the existing sections.

Committee on Ethics and Elections

(Ethics and Elections)
(Be passed as amended)

(The Line)

2669--

HB 2669, An act concerning the division of accounts and reports; relating to the write off of accounts receivable; setoff collection assistance fee; amending K.S.A. 44-716a and K.S.A. 2003 Supp. 60-2310 and 75-6210 and repealing the existing sections; also repealing K.S.A. 75-3728a, 75-3728c and 75-3728d and K.S.A. 2003 Supp. 75-3728b.

Committee on Appropriations

(Appropriations)
(Be passed)

2670--

HB 2670, An act concerning the division of accounts and reports; relating to reporting; amending K.S.A. 75-3054 and 75-3073 and K.S.A. 2003 Supp. 75-3735 and repealing the existing sections; also repealing K.S.A. 79-2917.

Committee on Appropriations

(Appropriations)
(Be passed)

2673--

HB 2673, An act concerning claims; relating to prior fiscal year claims for services or purchases by state agencies; amending K.S.A. 46-923 and repealing the existing section.

Committee on Appropriations

(Appropriations)
(Be passed)

2248--

HB 2248, An act concerning lead poisoning; repealing the sunset provision of K.S.A. 65-1,214.

Committee on Health and Human Services

(Health and Human Services)
(Be passed)

2623--

HB 2623, An act relating to highways; designating a part of K-20 highway as the Kickapoo veterans memorial highway.

Committee on Transportation

(Transportation)
(Be passed)

2330--

HB 2330, An act concerning sale of motor fuel; relating to certain prohibited acts; civil penalties; duties of division of weights and measures and attorney general; private remedy.

Representatives Holland and Patterson

(Commerce and Labor)
(Be passed as amended)

2589--

HB 2589, An act concerning campaign finance; pertaining to electronic filing of certain reports; amending K.S.A. 25-4144, 25-4148, 25-4157 and 25-4186 and K.S.A. 2003 Supp. 25-4145 and repealing the existing sections.

Committee on Ethics and Elections

(Ethics and Elections)

(Be passed as amended)

2737--

HB 2737, An act concerning the state board of healing arts; relating to licensure of athletic trainers; amending K.S.A. 65-6901, 65-6902, 65-6903, 65-6904, 65-6905, 65-6906, 65-6907, 65-6909, 65-6910 and 65-6911 and K.S.A. 2003 Supp. 65-2891 and repealing the existing sections.

Committee on Health and Human Services

(Health and Human Services)

(Be passed as amended)

106--

SB 106, An act relating to the public health and welfare of all Kansans; identifying major health care issues and establishing objectives and priorities.

Committee on Public Health and Welfare

(Health and Human Services)

(Be passed as amended)

2597--

HB 2597, An act concerning insurance; pertaining to the elimination of the errors and omissions requirement for insurance agents; amending K.S.A. 40-241, 40-246b, 40-2,131 and 40-4503 and repealing the existing sections; also repealing K.S.A. 40-246f.

Committee on Insurance

(Insurance)

(Be passed)

2545--

HB 2545, An act concerning insurance; pertaining to the use of mortality tables; amending K.S.A. 40-409 and repealing the existing section.

Committee on Insurance

(Insurance)

(Be passed)

2520--

HB 2520, An act concerning campaign finance; pertaining to campaign treasurer's reports; amending K.S.A. 25-4148 and 25-4151 and repealing the existing sections.

Representative Wilson

(Ethics and Elections)

(Be passed)

REPORTS OF STANDING COMMITTEES

Bills Adversely Reported