

# HOUSE CALENDAR

No. 43

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Friday, March 12, 2004  
HOUSE CONVENES AT 10:30 a.m. TODAY

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ROLL CALL

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INVOCATION AND PLEDGE OF ALLEGIANCE

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READING AND CORRECTION OF JOURNAL

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PETITIONS

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INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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## Reference of Bills and Concurrent Resolutions

2926--

**HB 2926**, An act concerning the attorney general; authorizing transfers between certain funds.

Committee on Appropriations

(Appropriations)

2927--

**HB 2927**, An act concerning the crime victims funds; amending K.S.A. 74-7336 and repealing the existing section.

Committee on Appropriations

(Appropriations)

2928--

**HB 2928**, An act concerning motor fuel taxation; relating to rates of tax; sale of motor fuel, certain prohibited acts; civil penalties; duties of division of weights and measures and attorney general; private remedy; amending K.S.A. 2003 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections.

Committee on Taxation

(Commerce and Labor)

**2929--**

**HB 2929**, An act concerning the interstate water litigation fund; providing for a river master; amending K.S.A. 82a-1802 and repealing the existing section.  
Committee on Appropriations  
(Appropriations)

**2930--**

**HB 2930**, An act concerning mortgage registration fees; amending K.S.A. 79-3102 and repealing the existing section.  
Committee on Taxation  
(Local Government)

**5040--**

**HCR 5040**, A CONCURRENT RESOLUTION urging the other 49 states to establish their own Mission of Mercy programs.  
Committee on Health and Human Services  
(Health and Human Services)

**5041--**

**HCR 5041**, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to taxation of property.  
Committee on Taxation  
(Taxation)

**5042--**

**HCR 5042**, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas.  
Committee on Taxation  
(Taxation)

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REPORTS OF SELECT COMMITTEES

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MESSAGES FROM THE GOVERNOR

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COMMUNICATIONS FROM STATE OFFICERS

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MESSAGES FROM THE SENATE

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**Reference of Senate Bills and  
Concurrent Resolutions**

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**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

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**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

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**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, Tafaelli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder and Yonally

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**THE UNFINISHED BUSINESS BEFORE THE HOUSE**

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**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****2912--(First Day)**

**HB 2912**, An act concerning state finance; relating to biennial budget estimates for certain state agencies; amending K.S.A. 2003 Supp. 75-3717 and repealing the existing section.

Committee on Appropriations

(Appropriations)  
(Be passed)

**366--(First Day)**

**SB 366**, An act concerning the cancer registry; relating to the definition of health care provider and parties required to report to the registry; amending K.S.A. 65-1,168 and 65-1,169 and repealing the existing sections.

Committee on Public Health and Welfare  
(Health and Human Services)  
(Be passed)

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**Final Action on Bills and Concurrent Resolutions****2675--**

**HB 2675**, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.

Joint Committee on Special Claims Against the State  
(Appropriations)  
(Be passed as amended)

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**Bills Under Consideration to Concur or Nonconcur**

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**General Orders**

(The Line)

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**2682--**

**HB 2682**, An act concerning cigarettes; relating to sales by licensed dealers; sales tax requirements; shipment; providing penalties for certain unlawful acts; counterfeit cigarettes.

Committee on Taxation

(Taxation)  
(Be passed)

2582--

**HB 2582**, An act creating the horsethief reservoir benefit district; providing for a governing board; prescribing powers and duties thereof; taxing and bonding authority.

Committee on Appropriations

(Appropriations)

(Be passed as amended)

2484--

**HB 2484**, An act concerning public water supply systems; relating to certain fees and the disposition thereof; amending K.S.A. 2003 Supp. 82a-2101 and repealing the existing section.

Representative Sloan

(Taxation)

(Be passed as amended)

306--

**SB 306**, An Act repealing K.S.A. 74-8840; relating to certain audits of the accounts and transactions of the racing and gaming commission.

Legislative Post Audit Committee.

(Appropriations)

(Be passed)

353--

**SB 353**, An act concerning agriculture; relating to noxious weeds; sericea lespedeza disaster area; amending K.S.A. 2003 Supp. 2-1315, 2-1908 and 2-1915 and repealing the existing sections.

Committee on Agriculture

(Agriculture)

(Be passed as amended)

340--

**SB 340**, An act concerning insurance; relating to risk-based capital requirements; amending K.S.A. 2003 Supp. 40-2c01 and repealing the existing section.

Committee on Financial Institutions and Insurance

(Insurance)

(Be passed as amended)

5034--

**HCR 5034**, A PROPOSITION to amend the constitution of the state of Kansas by adding a new article thereto, prescribing certain limits upon taxes, revenues and expenditures by the state.

Representatives Landwehr, Barbieri-Lightner, Brunk, Carter, Dahl, DeCastro, Faber, Goering, Goico, Hayzlett, Howell, Huebert, Hutchins, Huy, Kauffman, Long-Mast, Mason, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison,

Myers, Neufeld, Novascone, Osborne, Ostmeyer, Powell, Powers, Schwab, Schwartz, Shultz, Siegfried and D. Williams.

(Appropriations)  
(Be adopted)

**2751--**

**HB 2751**, An act concerning abortion clinics; providing for regulation, licensing and standards for the operation thereof; providing penalties for violations and authorizing injunctive actions.

Representatives Long-Mast, Barbieri-Lightner, Brunk, Burgess, Campbell, Carter, Dahl, DeCastro, Decker, Faber, Freeborn, Gatewood, Goering, Goico, Grant, Henry, Howell, Huebert, Hutchins, Huy, E. Johnson, Kauffman, Landwehr, Larkin, Mason, Mays, McCreary, McLeland, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Novascone, O'Neal, Osborne, Ostmeyer, Patterson, Pauls, Phelps, Powell, Powers, Reardon, Ruff, Schwab, Shriver, Shultz, Siegfried, Svaty, Swenson, Thimesch, Vickrey, Wilk and J. Williams

(Federal and State Affairs)  
(Be passed)

**H Sub. 9--**

**H Sub. for SB 9**, An act concerning jurisdiction of certain law enforcement officers; relating to Native American tribal law enforcement officers; amending K.S.A. 2002 Supp. 22-2401a and repealing the existing section.

Committee on Federal and State Affairs  
(Federal and State Affairs)  
(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)

**297--**

**SB 297**, An act concerning civil procedure; relating to docket fees; amending K.S.A. 2003 Supp. 20-367, 28-172a, 59-104, 60-1621 and 60-2001 and repealing the existing sections.

Special Committee on Judiciary  
(Judiciary)  
(Be passed as amended)

**197--**

**SB 197**, An act concerning alcoholic beverages; concerning minors; amending K.S.A. 2002 Supp. 21-3610 and 41-727 and repealing the

existing sections.

Committee on Federal and State Affairs  
(Corrections and Juvenile Justice)  
(Be passed as amended)

312--

**SB 312**, An act concerning the emergency medical services board and the state fire marshal; relating to financial support thereof; amending K.S.A. 2003 Supp. 75-1508 and repealing the existing section.

Committee on Ways and Means  
(Appropriations)  
(Be passed as amended)

338--

**SB 338**, An act concerning liens; pertaining to the perfection of certain liens; amending K.S.A. 2003 Supp. 58-244 and repealing the existing section.

Committee on Financial Institutions and Insurance  
(Financial Institutions)  
(Be passed)

183--

**SB 183**, An act concerning crimes, criminal procedure and punishment; relating to the interstate compact for juveniles; repealing K.S.A. 38-1001, 38-1002, 38-1003, 38-1004, 38-1005, 38-1006 and 38-1007.

Senator Adkins  
(Corrections and Juvenile Justice)  
(Be passed)

382--

**SB 382**, An act relating to public utilities; concerning the recovery of certain costs of security measures; amending K.S.A. 66-1233 and repealing the existing section.

Committee on Utilities  
(Utilities)  
(Be passed as amended)

**H Sub. 222--**

**H Sub. for SB 222**, An act concerning housing; relating to the Kansas development finance authority; authorizing the issuance of mortgage revenue bonds; amending K.S.A. 74-8903 and 74-8912 and K.S.A. 2003 Supp. 74-8902, 74-8904 and 74-8905 and repealing the existing sections.

Committee on Economic Development  
(Economic Development)  
(Be passed)

373--

**SB 373**, An act concerning school district; relating to consolidation of districts; amending K.S.A. 72-8701 and repealing the existing section.  
 Committee on Education  
 (Education)  
 (Be passed)

1616--

**SCR 1616**, A CONCURRENT RESOLUTION supporting the Kansas Department of Transportation's review of its radio communication policies, objectives and plan.  
 Committee on Utilities  
 (Utilities)  
 (Be adopted)

6012--

**HR 6012**, A resolution memorializing the Congress of the United States regarding the ongoing problem of identity theft.  
 Representative Kuether  
 (Corrections and Juvenile Justice)  
 (Be adopted as amended)

6013--

**HR 6013**, A resolution memorializing the Congress of the United States to continue to maintain Kansas' military installations.  
 Representatives Lane, Carlin and Kuether  
 (Federal and State Affairs)  
 (Be adopted)

2835--

**HB 2835**, An act defining and classifying the crime of unlawful use of a recording device.  
 Committee on Federal and State Affairs  
 (Corrections and Juvenile Justice)  
 (Be passed as amended)

141--

**SB 141**, An act concerning administrative procedure; concerning presiding officers; amending K.S.A. 2-1208a, 2-3311, 8-2426, 21-3110, 31-140, 36-509, 40-2, 137, 44-322a, 44-1005, 49-606, 65-163, 65-163a, 65-525, 65-526, 65-673, 65-780, 65-786, 65-2305, 65-3483, 65-3488, 65-3490, 66-1, 117, 74-4904, 74-8804, 74-8816, 74-8817, 74-8837, 75-6207, 76-3110, 77-505, 77-549, 77-550, 77-551, 77-551 as amended by section 42 of this act, 79-3313, 82a-1405, 82a-1501a, 82a-1502 and 82a-1504 and K.S.A. 2003 Supp. 75-37, 121, 77-514, 77-514 as amended by section 38 of this act, 82a-1503 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 75-37, 122 and 75-5611a.

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- Committee on Judiciary
- (Judiciary)  
(Be passed as amended)
- 304--** **SB 304**, An act concerning school districts; relating to the powers and duties of the state board of education and local boards of education.  
Legislative Educational Planning Committee  
(Education)  
(Be passed as amended)
- H Sub. 437--** **H Sub. for SB 437**, An act concerning civil procedure; relating to civil liability for serving alcoholic beverages.  
Committee on Judiciary  
(Judiciary)  
(Be passed)
- 2908--** **HB 2908**, An act concerning the membership of the state workforce investment board and local workforce investment boards; providing for an advisory committee to each local workforce investment board.  
Committee on Federal and State Affairs  
(Commerce and Labor)  
(Be passed)
- 321--** **SB 321**, An act concerning municipal court judges; relating to contempt powers; amending K.S.A. 12-4106 and K.S.A. 2003 Supp. 22-3609 and repealing the existing sections.  
Committee on Judiciary  
(Judiciary)  
(Be passed)
- 316--** **SB 316**, An act concerning civil procedure; relating to executions; issuance; amending K.S.A. 2003 Supp. 60-2401 and repealing the existing section.  
Committee on Judiciary  
(Judiciary)  
(Be passed)
- 346--** **SB 346**, An act concerning schools and school districts; relating to pupils; amending K.S.A. 72-6757 and K.S.A. 2003 Supp. 72-6407 and repealing the existing sections.

Committee on Education

(Education)

(Be passed as amended)

**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)

(Be adopted)

**292--**

**SB 292**, An act concerning fire protection; authorizing payment for acquisition, installation or maintenance of fire hydrants by fire districts and townships; amending K.S.A. 2003 Supp. 12-3915, 19-3601a, 19-3612e, 19-3616, 19-3620, 80-1501, 80-1514a, 80-1904, 80-1913, 80-1917 and 80-1921 and repealing the existing sections.

Senators Barnett and Schmidt

(Local Government)

(Be passed)

**337--**

**SB 337**, An act concerning crimes; relating to hypnotic exhibition; repealing K.S.A. 21-4007.

Committee on Judiciary

(Corrections and Juvenile Justice)

(Be passed)

**431--**

**SB 431**, An act concerning crimes and punishment; relating to criminal use of weapons; amending K.S.A. 2003 Supp. 21-4201 and repealing the existing section.

Committee on Judiciary

(Corrections and Juvenile Justice)

(Be passed as amended)

**6010--**

**HR 6010**, A resolution urging the Health and Human Services Committee of the House of Representatives to review the data regarding cervical cancer and human papillomavirus to evaluate current methods

of public education and access to regular cervical cancer screening, and to consider options for increasing screening accuracy.

Representatives Pottorff and S. Sharp  
(Health and Human Services)  
(Be adopted)

2676--

**HB 2676**, An act concerning children in need of care; relating to the confidentiality of proceedings; amending K.S.A. 38-1552 and repealing the existing section.

Representatives F. Miller, Burroughs, Dahl, Faber, Goico, Howell, Huebert, Huy, Kauffman, Long-Mast, McCreary, Merrick, Judy Morrison, Siegfried and D. Williams  
(Judiciary)  
(Re-referred)  
(Federal and State Affairs)  
(Be passed as amended)

479--

**SB 479**, An act concerning elections; relating to conformity with the help America vote act of 2002; amending K.S.A. 25-216, 25-414, 25-1122d, 25-1123, 25-1216, 25-1223, 25-2507 and 25-2806 and K.S.A. 2003 Supp. 25-409, 25-1122, 25-2309, 25-2706, 25-2908, 25-3002 and 25-3008 and repealing the existing sections.

Committee on Elections and Local Government  
(Ethics and Elections)  
(Be passed)

2915--

**HB 2915**, An act concerning the legislature; relating to preorganizational meetings of members-elect; election of leaders; amending K.S.A. 46-142 and repealing the existing section.

Committee on Federal and State Affairs  
(Rules and Journal)  
(Be passed as amended)

417--

**SB 417**, An act concerning income taxation; relating to rural business development tax credits; amending K.S.A. 40-2803 and 40-2804 and K.S.A. 2003 Supp. 79-32,117 and repealing the existing sections.

Committee on Commerce  
(Economic Development)  
(Be passed as amended)

393--

**SB 393**, An act establishing the Kansas center for entrepreneurship within the department of commerce; providing for the membership and

organization thereof; prescribing powers, duties and functions therefor; providing tax credits for investment in Kansas community entrepreneurship fund.

Committee on Commerce

(Economic Development)  
(Be passed as amended)

421--

**SB 421**, An act concerning eminent domain; relating to the filing of the appraisers' report; amending K.S.A. 26-504 and repealing the existing section.

Senator Vratil

(Judiciary)  
(Be passed as amended)

2552--

**HB 2552**, An act enacting the unborn victims of violence act.

Committee on Federal and State Affairs

(Federal and State Affairs)  
(Be passed as amended)

404--

**SB 404**, An act concerning real estate brokers and salespersons; relating to licensure thereof; relating to certain prohibited acts; amending K.S.A. 2003 Supp. 58-3043, 58-3050 and 58-3062 and repealing the existing sections.

Committee on Federal and State Affairs

(Commerce and Labor)  
(Be passed as amended)

448--

**SB 448**, An act repealing K.S.A. 68-507, 68-515a, 68-528, 68-533, 68-578, 68-579, 68-901 through 68-908, 68-1123, 68-1131, 68-1132, 68-1134 and 68-1231; concerning roads and highways.

Committee on Transportation

(Transportation)  
(Be passed)

449--

**SB 449**, An act relating to roads and highways; concerning bids; amending K.S.A. 68-704, 68-705, 68-1113, 68-1114, 68-1115, 68-1117, 68-1118, 68-1119, 68-1120, 68-1121 and 68-1125 and repealing the existing sections.

Committee on Transportation

(Transportation)  
(Be passed)

**Sub. 2807--**

**Sub. HB 2807**, An act relating to school finance; making certain appropriations therefor; amending K.S.A. 72-979, 72-6405, 72-6408, 72-6441, 72-8187, 72-8190 and 79-5105 and K.S.A. 2003 Supp. 10-1116a, 72-6407, 72-6417, 72-6428, 72-6431, 72-8251 and 79-201x and repealing the existing sections; also repealing K.S.A. 72-6410, 72-6411, 72-6412, 72-6413, 72-6414, 72-6415, 72-6416, 72-6421, 72-6422, 72-6433, 72-6433b, 72-6435, 72-6442, 72-6443, 72-6444 and 72-9509 and K.S.A. 2003 Supp. 72-6425, 72-6434, 72-9609 and 79-201y.

Committee on Education

(Education)

(Be passed)

(Re-referred)

(Calendar and Printing)

(Re-Re-referred)

(Education)

(Be passed)

(Motion to recommend favorable for passage failed)

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REPORTS OF STANDING COMMITTEES

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**Bills Adversely Reported**

