

# SENATE CALENDAR

No. 22

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THURSDAY, FEBRUARY 10, 2005  
SENATE CONVENES AT 2:30 P.M.

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## Order of Business

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ROLL CALL

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INVOCATION

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INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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## Reference of Bills and Concurrent Resolutions

**226—**

**SB 226**, An act relating to health care expenditure accounts for certain persons; authorizing a state match for certain deposits into health care expenditure accounts.

Senators Pyle, Journey and O'Connor  
(Ways and Means)

**227—**

**SB 227**, An act concerning sales taxation; relating to remittance credits for collection services provided by retailers.

Senators Pyle, Brownlee, Donovan, Jordan, Journey, O'Connor, Ostmeyer, Palmer and Petersen

(Assessment and Taxation)

**228—**

**SB 228**, An act concerning the preservation of Cedar Bluff Reservoir and controlling the release of water contained therein.

Committee on Natural Resources  
(Natural Resources)

**229—**

**SB 229**, An act concerning child support enforcement; amending K.S.A. 23-9,102, 39-759, 39-7,136, 39-7,138, 39-7,139, 39-7,140, 39-7,141, 39-7,144, 39-7,145, 39-7,146, 39-7,147, 39-7,148, 39-7,150 and 39-7,151 and K.S.A. 2004 Supp. 23-4,107, 23-4,146, 65-2422d and 74-2012 and repealing the existing sections; also repealing K.S.A. 39-7,153.

Committee on Federal and State Affairs  
(Judiciary)

**230—**

**SB 230**, An act concerning the code for care of children; relating to parents with disabilities; amending K.S.A. 38-1501 and repealing the existing section.

Committee on Judiciary

(Judiciary)

**231—**

**SB 231**, An act concerning property taxation; relating to exemption for certain residential housing for elderly persons; amending K.S.A. 2004 Supp. 79-201 and 79-201b and repealing the existing sections.

Committee on Assessment and Taxation  
(Assessment and Taxation)

**232—**

**SB 232**, An act concerning crimes, punishment and criminal procedure; relating to identity theft, identity fraud and vital record fraud; amending K.S.A. 21-3830 and 65-2434 and K.S.A. 2004 Supp. 21-4018 and repealing the existing sections.

Senator Petersen

(Judiciary)

**233—**

**SB 233**, An act concerning agritourism; relating to food service establishments; licensing; exception; amending K.S.A. 2004 Supp. 36-503 and 74-50,168 and repealing the existing sections.

Committee on Commerce

(Commerce)

**234—**

**SB 234**, An act concerning motor vehicles and equipment used by the state; relating to fuel purchase therefor; amending K.S.A. 2004 Supp. 75-3744a and repealing the existing section.

Committee on Elections and Local Government  
(Agriculture)

**235—**

**SB 235**, An act concerning hospitals; instituting a moratorium on establishment of certain hospitals prior to July 1, 2006; amending K.S.A. 65-450, 65-451, 65-452 and 65-454 and repealing the existing sections; also repealing K.S.A. 65-453.

Committee on Health Care Strategies  
(Health Care Strategies)

**236—**

**SB 236**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; postretirement benefit adjustment; amending K.S.A. 2004 Supp. 74-4920 and repealing the existing section.

Senators Hensley, Betts, Francisco, Gilstrap, Haley and Kelly  
(Ways and Means)

**237—**

**SB 237**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; retirant dividend payments to certain retirants thereof.

Senators Hensley, Barone, Betts, Francisco, Gilstrap, Haley and Kelly  
(Ways and Means)

**238—**

**SB 238**, An act concerning the department on aging; relating to the senior services fund; creating the health care for seniors fund; disposition of certain additional tobacco litigation settlement proceeds; prescribing certain powers, duties and functions for the secretary of aging; amending K.S.A. 38-2101 and repealing the existing section.

Senators Brownlee, Haley, Ostmeyer, Vratil and Wysong  
(Ways and Means)

**239—**

**SB 239**, An act concerning protection and advocacy for Kansans with disabilities; fund established; crediting certain moneys thereto; administration and uses thereof; amending K.S.A. 2004 Supp. 20-367 and repealing the existing section.

Committee on Ways and Means  
(Ways and Means)

**240—**

**SB 240**, An act concerning appointment of guardians and conservators; amending K.S.A. 2004 Supp. 59-3068 and 59-3075 and repealing the existing sections.

Committee on Ways and Means  
(Judiciary)

**241—**

**SB 241**, An act enacting the special education seclusion and restraint modernization and parental support act; requiring certain annual appropriations.

Committee on Ways and Means  
(Education)

**242—**

**SB 242**, An act concerning the placement of inmates; prohibiting contracts with private contract prisons outside of Kansas; amending K.S.A. 2004 Supp. 75-5206, 75-5210 and 75-52,129 and repealing the existing sections.

Committee on Ways and Means  
(Ways and Means)

**243—**

**SB 243**, An act concerning correctional facilities; relating to construction by private companies; amending K.S.A. 2004 Supp. 75-52,129 and repealing the existing section.

Committee on Ways and Means  
(Ways and Means)

**244—**

**SB 244**, An act concerning school districts; establishing the 2010 commission; prescribing the powers and duties thereof.

Committee on Ways and Means  
(Education)

**245—**

**SB 245**, An act concerning school districts; concerning audits by the division of legislative post audit.

Committee on Ways and Means  
(Education)

**246—**

**SB 246**, An act concerning school districts; relating to school finance; amending K.S.A. 72-979, 72-6410, 72-6413, 72-6414 and 72-6433 and K.S.A. 2004 Supp. 72-978, 72-6409, 72-6431 and 79-201x and repealing the existing sections.

Committee on Ways and Means  
(Education)

**1606—**

**SCR 1606**, A proposition to amend section 5 of article 3 of the constitution of the state of Kansas, relating to the selection of justices of the supreme court.

Senators Wagle and D. Schmidt, Apple, Barnett, Barone, Brownlee, Bruce, Donovan, Gilstrap, Huelskamp, Jordan, Journey, McGinn, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Wilson and Wysong  
(Judiciary)

**2078—**

**HB 2078**, An act regulating traffic; concerning certain lighting equipment; amending K.S.A. 8-1720 and 8-1729 and K.S.A. 2004 Supp. 8-1723 and repealing the existing sections.

Committee on Transportation  
(Transportation)

**2097—**

**HB 2097**, An act relating to banks and trust companies; concerning the exchange of certain examinations and reports; amending K.S.A. 9-1303 and repealing the existing section.

Committee on Financial Institutions  
(Financial Institutions and Insurance)

**2098—**

**HB 2098**, An act relating to banks; concerning trust authority; amending K.S.A. 9-1601 and repealing the existing section.

Committee on Financial Institutions  
(Financial Institutions and Insurance)

**2123—**

**HB 2123**, An act relating to railroads; concerning the transfer of certain powers, duties and functions of the state corporation commission to the Kansas department of transportation; amending K.S.A. 66-105, 66-154, 66-154a, 66-154b, 66-155, 66-230, 66-525, 66-532 and 66-1217 and repealing the existing sections; also repealing K.S.A. 44-564, 66-103, 66-112, 66-145, 66-146, 66-148, 66-149, 66-153, 66-157 through 66-163, 66-166, 66-168, 66-173, 66-174, 66-180, 66-181, 66-182, 66-201 through 66-216, 66-224, 66-225, 66-226, 66-235 through 66-241, 66-244 through 66-249, 66-277, 66-278, 66-285 through 66-294, 66-2,108, 66-2,109, 66-2,111, 66-2,112, 66-2,113, 66-2,119, 66-304 through 66-307, 66-319 and 66-320.

Committee on Transportation  
(Transportation)

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**2125—**

**HB 2125**, An act relating to mortgages on real property; concerning the entry of satisfaction; fees; amending K.S.A. 2004 Supp. 58-2309a and repealing the existing section.

Committee on Financial Institutions  
(Financial Institutions and Insurance)

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MESSAGES FROM THE GOVERNOR

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COMMUNICATIONS FROM STATE OFFICERS

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MESSAGES FROM THE HOUSE

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**Consideration of Motions to Concur or Nonconcur**

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REPORTS OF SELECT COMMITTEES

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**Consent Calendar**

(Senate action to be taken on third day or thereafter)

**46— (Third Day)**

**SB 46**, An act concerning canceled state warrants; relating to fees for reissuance; amending K.S.A. 46-921 and repealing the existing section.

Senator Emler

(Ways and Means)  
(Be passed)

**50— (Third Day)**

**SB 50**, An act concerning members of the armed forces; relating to references to the soldiers and sailors civil relief act; amending K.S.A. 59-2208, 59-2223 and 60-203 and K.S.A. 2004 Supp. 58-665 and repealing the existing sections.

Committee on Judiciary

(Judiciary)  
(Be passed)

**92— (Third Day)**

**SB 92**, An act relating to the department of aging; concerning duties thereof; amending K.S.A. 2004 Supp. 39-1404 and repealing the existing section.

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

**100— (Third Day)**

**SB 100**, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2004 Supp. 40-2258 and repealing the existing section.

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

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## Final Action on Bills and Concurrent Resolutions

**4—**

**SB 4**, An act concerning the Kansas manufactured housing act; prescribing installation standards; providing for manufactured home installers' licenses; providing for apprentice installers' licenses; authorizing certain fees and civil penalties; amending K.S.A. 58-4205 and K.S.A. 2004 Supp. 58-4202 and 74-8959 and repealing the existing sections

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

**5—**

**SB 5**, An act concerning the definition of trade secrets; amending K.S.A. 40-3805, 40-4205, 48-1614, 49-427, 65-170g, 65-657, 65-3015, 65-3447, 65-34,102, 66-1220a, 74-8104 and 74-8307 and repealing the existing sections

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

**7—**

**SB 7**, An act concerning civil procedure; relating to child custody and residency; amending K.S.A. 2004 Supp. 60-1610 and repealing the existing section

Senator Brownlee  
(Judiciary)  
(Be passed as amended)

**8—**

**SB 8**, An act concerning capital improvement projects for state educational institutions; amending K.S.A. 2004 Supp. 76-759 and repealing the existing section

Legislative Educational Planning Committee  
(Ways and Means)  
(Be passed)

**9—**

**SB 9**, An act repealing K.S.A. 71-202; concerning community colleges; relating to the powers and duties thereof

Legislative Educational Planning Committee  
(Education)  
(Be passed)

**10—**

**SB 10**, An act concerning schools and school districts; relating to the self-administration of medication; amending K.S.A. 2004 Supp. 72-8252 and repealing the existing section

Legislative Educational Planning Committee  
(Public Health and Welfare)  
(Be passed as amended)

**25—**

**SB 25**, An act concerning crimes, criminal procedure and punishment; relating to terrorism and illegal use of weapons of mass destruction; amending K.S.A. 21-3301, 21-3302, 21-3303 and 22-2515 and K.S.A. 2004 Supp. 21-3106, 21-4706, 22-3101 and 60-4104 and repealing the existing sections

Joint Committee on Kansas Security  
(Judiciary)  
(Be passed as amended)

**60—**

**SB 60**, An act relating to all-terrain vehicles; concerning the definition thereof; amending K.S.A. 8-1402a and K.S.A. 2004 Supp. 8-126 and repealing the existing sections

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

**105—**

**SB 105**, An act concerning sales taxation; relating to retailers' sales tax in Miami county; amending K.S.A. 2004 Supp. 12-187 and repealing the existing section

Committee on Assessment and Taxation  
(Assessment and Taxation)  
(Be passed)

**119—**

**SB 119**, An act relating to the division of vehicles; concerning records thereof; amending K.S.A. 2004 Supp. 74-2012 and repealing the existing section.

Committee on Transportation  
(Transportation)  
(Be passed)

**124—**

**SB 124**, An act relating to roads and highways; concerning the classification thereof; amending K.S.A. 68-101, 68-402b, 68-506, 68-506f, 68-516, 68-588, 68-592, 68-1109, 68-1137, 68-1701, 68-1703 and 68-1704 and repealing the existing sections; also repealing K.S.A. 2004 Supp. 68-1702

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

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INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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CORRECTION AND APPROVAL OF THE JOURNAL

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CONSIDERATION OF MOTIONS AND SENATE RESOLUTIONS

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REPORTS OF STANDING COMMITTEES

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### General Orders

**13—**

**SB 13**, An act concerning taxation; relating to confidentiality of information; disclosure; amending K.S.A. 79-1119, 79-3392, 79-3614 and 79-4105 and K.S.A. 2004 Supp. 12-189, 75-5133, 79-3234 and 79-3657 and repealing the existing sections; also repealing K.S.A. 2004 Supp. 74-8017.

Special Committee on Assessment and Taxation  
(Assessment and Taxation)  
(Be passed)

**126—**

**SB 126**, An act concerning property taxation; relating to reduction of valuation of real property; amendment of tax rolls; payment of taxes under protest; amending K.S.A. 2004 Supp. 79-1460 and 79-2005 and repealing the existing sections.

Committee on Assessment and Taxation  
(Assessment and Taxation)  
(Be passed as amended)

**12—**

**SB 12**, An act concerning taxation; relating to collection of delinquent taxes; tax liens; amending K.S.A. 2004 Supp. 79-3235 and 79-3617 and repealing the existing sections.

Special Committee on Assessment and Taxation  
(Assessment and Taxation)  
(Be passed as amended)

**1602—**

**SCR 1602**, A concurrent resolution urging the appointment of a task force to study the licensing and appointment process for insurance agents.

Committee on Financial Institutions and Insurance  
(Financial Institutions and Insurance)  
(Be adopted as amended)

**48—**

**SB 48**, An act concerning schools and school districts; relating to contracts.

Senator Vratil  
(Education)  
(Be passed)

**76—**

**SB 76**, An act relating to driver's licenses; concerning habitual violators; amending K.S.A. 8-235, 8-286, 8-287 and 8-288 and repealing the existing sections.

Senator Journey

(Transportation)  
(Be passed)

**98—**

**SB 98**, An act concerning hunting; relating to hunter's education requirements; amending K.S.A. 2004 Supp. 32-920 and repealing the existing section.

Committee on Natural Resources

(Natural Resources)  
(Be passed)

**30—**

**SB 30**, An act concerning public assistance; relating to persons convicted of a controlled substance related felony.

Committee on Judiciary

(Judiciary)  
(Be passed as amended)

**36—**

**SB 36**, An act concerning the admission to practice law; requirements; fingerprints and criminal history.

Committee on Judiciary

(Judiciary)  
(Be passed as amended)

**47—**

**SB 47**, An act concerning the department of corrections; relating to the dissemination of department rules and regulations to inmates; amending K.S.A. 2004 Supp. 75-5210 and repealing the existing section.

Committee on Federal and State Affairs

(Federal and State Affairs)  
(Be passed)

**57—**

**SB 57**, An act concerning the Kansas consumer protection act; relating to occasional sales of certain repossessed collateral; amending K.S.A. 2004 Supp. 50-624 and repealing the existing section.

Committee on Financial Institutions and Insurance

(Financial Institutions and Insurance)  
(Be passed)

**1604—**

**SCR 1604**, A concurrent resolution concerning healthy eating and physical activity in public elementary and secondary schools.

Committee on Public Health and Welfare

(Public Health and Welfare)  
(Be adopted as amended)

**19—**

**SB 19**, An act concerning the legislative post audit act; prescribing the confidentiality of surveys administered for audits; amending K.S.A. 46-1119 and repealing the existing section.

Legislative Post Audit Committee  
(Federal and State Affairs)  
(Be passed as amended)

**ANTICIPATE END OF DEBATE CALENDAR****42—**

**SB 42**, An act concerning teachers; relating to certification thereof; amending K.S.A. 72-1387 and repealing the existing section.

Committee on Education  
(Education)  
(Be passed)

**49—**

**SB 49**, An act concerning schools and school districts; relating to contracts.

Senator Vratil  
(Education)  
(Be passed)

**94—**

**SB 94**, An act relating to roads and highways; concerning certain contracts; amending K.S.A. 68-521 and K.S.A. 2004 Supp. 68-1115 and repealing the existing sections.

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

**101—**

**SB 101**, An act concerning banks and trust companies; relating to employment of an officer or director who has been removed for cause; amending K.S.A. 9-1805 and repealing the existing section.

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

**104—**

**SB 104**, An act concerning banks; relating to examination of certain affiliated business entities; amending K.S.A. 9-1702 and repealing the existing section.

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

**115—**

**SB 115**, An act concerning social and rehabilitation services; relating to investigation of reports of abuse, neglect or exploitation; amending K.S.A. 2004 Supp. 39-1433 and repealing the existing section.

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

**6—**

**SB 6**, An act concerning abolition of the death penalty; amending K.S.A. 21-4634, 22-3705 and 22-4210 and K.S.A. 2004 Supp. 21-3105, 21-4619, 21-4635, 22-3405, 22-3717, 22-4505 and 22-4506 and repealing the existing sections; also repealing K.S.A. 21-3439, 21-4627, 21-4629, 21-4630, 22-3704, 22-4002, 22-4004, 22-4005 and 22-4016 and K.S.A. 2004 Supp. 21-4622, 21-4623, 21-4624, 22-4001, 22-4003, 22-4006, 22-4009, 22-4011, 22-4012, 22-4013 and 22-4014.

Senator Haley

(Judiciary)

(Be reported without recommendation)

**28—**

**SB 28**, An act concerning crimes, punishment and criminal procedure; relating to the sentence of death; amending K.S.A. 2004 Supp. 21-4624 and repealing the existing section.

Committee on Judiciary

(Judiciary)

(Be reported without recommendation)

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**Bills Adversely Reported**