

# SENATE CALENDAR

No. 31

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WEDNESDAY, FEBRUARY 23, 2005  
SENATE CONVENES AT 9:30 A.M.

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## Order of Business

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ROLL CALL

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INVOCATION

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## Special Order of Business

Time to be determined

### **ERO 33—**

Reorganization of the state's major health care programs into a new business division within the Department of Administration called the Division of Health Policy and Finance and the renaming of The Department of Social and Rehabilitation Services as the Department of Human Services.

Governor Kathleen Sebelius

(Health Care Strategies)

### **1814—**

**SR 1814**, A resolution disapproving Executive Reorganization Order No. 33, relating to reorganization of certain state health care programs and the establishment of a division of health policy and finance within the department of administration.

Committee on Health Care Strategies

(Health Care Strategies)

(Be adopted)

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INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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## Reference of Bills and Concurrent Resolutions

### **276—**

**SB 276**, An act concerning real estate appraisers; relating to licensure; amending K.S.A. 58-4109 and repealing the existing section.

Committee on Ways and Means

(Federal and State Affairs)

### **277—**

**SB 277**, An act concerning school districts; relating to defined terms; relating to preschool-aged at-risk pupils; amending K.S.A. 2004 Supp. 72-6407 and repealing the existing section.

Committee on Ways and Means

(Education)

**2118—**

**HB 2118**, An act concerning cemetery corporations; relating to the disclosure of certain records; amending K.S.A. 17-1312e and repealing the existing section.

Committee on Governmental Organization and Elections  
(Elections and Local Government)

**2157—**

**HB 2157**, An act concerning employment security law; relating to disqualification from receipt of benefits; amending K.S.A. 2004 Supp. 44-706 and repealing the existing section.

Committee on Health and Human Services  
(Commerce)

**2178—**

**HB 2178**, An act concerning the Kansas senior care act; relating to preventative health services; amending K.S.A. 75-5927 and K.S.A. 2004 Supp. 75-5928 and repealing the existing sections.

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

**2252—**

**HB 2252**, An act relating to school districts; concerning the changing of member district boundaries; amending K.S.A. 72-6769 and repealing the existing section.

Representative Otto  
(Education)

**2268—**

**HB 2268**, An act concerning the uniform interstate enforcement of domestic violence protection orders act; amending K.S.A. 2004 Supp. 21-3843 and repealing the existing section.

Committee on Judiciary  
(Judiciary)

**2297—**

**HB 2297**, An act amending the interstate motor fuel use act; relating to certain exemptions; amending K.S.A. 79-34,120 and repealing the existing section.

Committee on Transportation  
(Transportation)

**2330—**

**HB 2330**, An act concerning the radiologic technologists practices act; amending K.S.A. 2004 Supp. 65-7303, 65-7304, 65-7306, 65-7310, 65-7314 and 65-7315 and repealing the existing sections.

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

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**2336—**

**HB 2336**, An act concerning the regulation of optometrists; amending K.S.A. 65-1501a and 74-1505 and K.S.A. 2004 Supp. 65-1505 and 65-1509 and repealing the existing sections.

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

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## MESSAGES FROM THE GOVERNOR

## COMMUNICATIONS FROM STATE OFFICERS

## MESSAGES FROM THE HOUSE

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**Consideration of Motions to Concur or Nonconcur**

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## REPORTS OF SELECT COMMITTEES

**Consent Calendar**

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

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**Final Action on Bills and Concurrent Resolutions****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)  
(Withdrawn) (General Orders)  
(Rereferred) (Assessment and Taxation)  
(Be passed as amended)

**52—**

**SB 52**, An act concerning employment of retired judges; relating to providing employer contribution for health insurance; amending K.S.A. 20-2622 and repealing the existing section.

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

**56—**

**SB 56**, An act concerning motor-vehicle fuels; relating to retail pump labeling requirements; ethyl alcohol and other alcohol; amending K.S.A. 2004 Supp. 79-3408 and repealing the existing section.

Committee on Agriculture

(Agriculture)  
(Be passed)

**63—**

**SB 63**, An act concerning public utilities; relating to the definition thereof.

Committee on Utilities

(Utilities)  
(Be passed as amended)

**71—**

**SB 71**, An act concerning crimes and punishment; creating the crime of automated teller machine robbery; aggravated automated teller machine robbery.

Senator Journey

(Judiciary)  
(Be passed as amended)

**72—**

**SB 72**, An act concerning crimes and punishment; relating to worthless checks; amending K.S.A. 2004 Supp. 21-3707 and repealing the existing section.

Senator Journey

(Judiciary)  
(Be passed as amended)

**91—**

**SB 91**, An act concerning fees; amending K.S.A. 65-1447 and repealing the existing section.

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

**110—**

**SB 110**, An act concerning the Kansas commission on veterans affairs; relating to memorials for Kansas veterans who served in the armed forces of the United States of America; prescribing certain guidelines and procedures; establishing the Kansas veterans memorials fund.

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

**158—**

**SB 158**, An act concerning property taxation; relating to hay and cotton storage structures; amending K.S.A. 2004 Supp. 79-201d and repealing the existing section.

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

**181—**

**SB 181**, An act concerning civil procedure; relating to actions filed in violation of Article 6 of the Kansas constitution; amending K.S.A. 2004 Supp. 60-2102 and repealing the existing section.

Committee on Judiciary

(Judiciary)  
(Be passed)

**195—**

**SB 195**, An act concerning firearms; relating to the disposition thereof after seizure; amending K.S.A. 79-5212 and K.S.A. 2004 Supp. 79-3235, 79-3617, 79-5205 and 79-5211 and repealing the existing sections.

Committee on Natural Resources

(Assessment and Taxation)  
(Be passed)

**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)  
(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

**Sub 77—**

**Sub SB 77**, An act concerning racial profiling; prohibiting certain actions and providing remedies for violations.

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

**93—**

**SB 93**, An act concerning eminent domain; relating to wind energy development projects; amending K.S.A. 17-618 and repealing the existing section.

Committee on Utilities

(Utilities)  
(Be passed as amended)

**114—**

**SB 114**, An act concerning the bank commissioner; relating to the issuance of civil penalties.

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

**154—**

**SB 154**, An act relating to food and beverages available to students in Kansas school districts; providing for the adoption of certain standards.

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

**225—**

**SB 225**, 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  
(Ways and Means)  
(Be passed as amended)

**116—**

**SB 116**, An act concerning social and rehabilitation services; providing injunctive authority against unlicensed facilities; amending K.S.A. 75-3307b and repealing the existing section.

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

**133—**

**SB 133**, An act concerning homestead property tax credits; amending K.S.A. 2004 Supp. 79-4521 and repealing the existing section.

Committee on Elections and Local Government  
(Elections and Local Government)  
(Be passed as amended)

**178—**

**SB 178**, An act concerning home service contracts; enacting the home service contract act; registration with the insurance commissioner.

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

**183—**

**SB 183**, An act concerning federally active licenses under the Kansas healing arts act; amending K.S.A. 65-2809 and repealing the existing section.

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

**216—**

**SB 216**, An act concerning infectious and contagious diseases; powers and duties of local health officials and the secretary of health and environment in investigating infectious or contagious diseases; quarantine or isolation of certain individuals.

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

**82—**

**SB 82**, An act concerning sex offense prosecutions; relating to the complaining witness; admissibility of prior sexual conduct; amending K.S.A. 21-3525 and repealing the existing section.

Committee on Judiciary  
(Judiciary)  
(Be passed)

**107—**

**SB 107**, An act concerning the employment security law; relating to the charging of benefit payments; amending K.S.A. 2004 Supp. 44-710 and repealing the existing section.

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

**123—**

**SB 123**, An act concerning the state treasurer; authority to charge certain fees.

Committee on Ways and Means  
(Ways and Means)  
(Be passed)

**54—**

**SB 54**, An act concerning roofing materials.

Committee on Elections and Local Government  
(Elections and Local Government)  
(Be passed as amended)

**151—**

**SB 151**, An act defining the crimes of trafficking and aggravated trafficking and prescribing penalties therefor.

Senator Jordan  
(Judiciary)  
(Be passed)

**161—**

**SB 161**, An act concerning civil procedure; relating to the liability of certain entities for services performed by offenders.

Committee on Judiciary  
(Judiciary)  
(Be passed)

**258—**

**SB 258**, An act concerning form of statutory and legal documents; prescribing certain duties on the judicial council; amending K.S.A. 59-2124, 59-2129, 59-2143, 59-2210, 60-258, 60-268, 60-302, 60-307, 60-706 and 61-2705 and K.S.A. 2004 Supp. 58-4301, 59-1507b, 60-201, 60-1102, 60-1103, 60-1103b, 60-2420 and 61-2713 and repealing the existing sections; also repealing K.S.A. 60-269 and the appendix of forms following K.S.A. 60-269.

Committee on Judiciary

(Judiciary)  
(Be passed)

**210—**

**SB 210**, An act regulating traffic; requiring the use of strobe lights on school buses; amending K.S.A. 8-1730 and repealing the existing section.

Committee on Education

(Transportation)  
(Be passed)

**81—**

**SB 81**, An act regulating traffic; concerning the use of head lamps; amending K.S.A. 8-1703 and repealing the existing section.

Senator D. Schmidt (By request)

(Transportation)  
(Be passed as amended)

**256—**

**SB 256**, An act concerning income taxation; relating to exemptions; payments to military personnel; amending K.S.A. 2004 Supp. 79-32,117 and repealing the existing section; also repealing K.S.A. 2004 Supp. 79-32,117j and 79-32,117k.

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

**55—**

**SB 55**, An act concerning the employment security laws; relating to breath alcohol test; conclusive evidence of misconduct; amending K.S.A. 2004 Supp. 44-706 and repealing the existing section.

Committee on Commerce

(Commerce)  
(Be passed as amended)

**121—**

**SB 121**, An act concerning the charitable organizations and solicitations act; registration statement; audited financial statement; amending K.S.A. 17-1763 and repealing the existing section.

Committee on Judiciary

(Federal and State Affairs)  
(Be passed)

**35—**

**SB 35**, An act regulating traffic; concerning school zones; amending K.S.A. 2004 Supp. 8-2118 and repealing the existing section.

Senator Journey

(Transportation)  
(Be passed as amended)

**ANTICIPATED END OF DEBATE CALENDAR****244—**

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

Committee on Ways and Means

(Education)  
(Be passed as amended)

**78—**

**SB 78**, An act concerning the open records act; amending K.S.A. 2004 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2004 Supp. 45-221g and 45-221h.

Committee on Elections and Local Government  
(Elections and Local Government)

(Be passed)

**139—**

**SB 139**, An act establishing the Kansas academy of mathematics and science.

Committee on Commerce

(Commerce)  
(Be passed as amended)

**2059—**

**HB 2059**, An act concerning school districts; relating to enrollment; amending K.S.A. 2004 Supp. 72-6407 and repealing the existing section.

Representatives Decker and Brunk, Carlin, Carlson, Craft, Crow, Dahl, DeCastro, Edmonds, Faust-Goudeau, Freeborn, Goico, Gordon, Grange, Hawk, Hayzlett, Horst, Huebert, Jack, E. Johnson, Kelsey, Kilpatrick, Landwehr, Loganbill, Mast, Mays, McLeland, Myers, Neufeld, Otto, Phelps, Pilcher-Cook, Powers, Ruff, Schwab, Schwartz, Weber, Wilk

(Education)  
(Be passed)

**138—**

**SB 138**, An act concerning taxation; providing for a tax credit against the income tax liability of certain business firms.

Committee on Commerce

(Commerce)  
(Be passed as amended)

**153—**

**SB 153**, An act concerning the negotiation and approval of gaming compacts; amending K.S.A. 46-2302 and repealing the existing section.

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

**24—**

**SB 24**, An act relating to confidential security records or information; providing that certain records or information are not subject to subpoena or discovery; amending K.S.A. 2004 Supp. 45-221, 66-1236 and 75-4319 and repealing the existing sections; also repealing K.S.A. 2004 Supp. 45-221g, 45-221h and 75-4319b.

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

**75—**

**SB 75**, An act concerning civil procedure; relating to immunity from liability for claims relating to weight gain or obesity.

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

**129—**

**SB 129**, An act concerning consumer protection; relating to warranty modification or limitation; workmanlike performance; amending K.S.A. 2004 Supp. 50-639 and repealing the existing section.

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

**132—**

**SB 132**, An act concerning elections; relating to the use of optical scanning systems to count votes; amending K.S.A. 25-4601, 25-4602, 25-4603, 25-4604, 25-4605, 25-4607, 25-4609, 25-4610, 25-4611, 25-4612 and 25-4613 and repealing the existing sections.

Committee on Elections and Local Government  
(Elections and Local Government)  
(Be passed as amended)

**140—**

**SB 140**, An act concerning insurance; relating to limiting the insurance value of improvements on real property to its replacement cost; amending K.S.A. 40-905 and repealing the existing section.

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

**147—**

**SB 147**, An act concerning the limitation of actions; relating to increasing general time limitation; amending K.S.A. 2004 Supp. 21-3106 and repealing the existing section.

Committee on Judiciary

(Judiciary)

(Be passed as amended)

**192—**

**SB 192**, An act concerning property taxation; relating to exemptions; renewable energy resources or technology; amending K.S.A. 2004 Supp. 79-201 and repealing the existing section.

Committee on Assessment and Taxation

(Assessment and Taxation)

(Be passed as amended)

**194—**

**SB 194**, An act concerning wildlife and parks; relating to commissioner permits.

Committee on Natural Resources

(Natural Resources)

(Be passed as amended)

**196—**

**SB 196**, An act relating to the Kansas mortgage business act; pertaining to administration of the act by the state bank commissioner; amending K.S.A. 9-2205, 9-2208, 9-2209, 9-2211, 9-2216 and 9-2218 and repealing the existing sections.

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

(Be passed as amended)

**207—**

**SB 207**, An act concerning insurance; relating to fraudulent practices and the prevention thereof; amending K.S.A. 40-2,118, 40-1612, 40-1613 and 40-19a10 and K.S.A. 2004 Supp. 40-19c09 and repealing the existing sections; also repealing K.S.A. 40-247 and 40-417.

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

(Be passed as amended)

**215—**

**SB 215**, An act enacting the commercial real estate broker lien act.

Committee on Federal and State Affairs

(Judiciary)

(Be passed as amended)

**245—**

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

Committee on Ways and Means

(Education)

(Be passed as amended)

**254—**

**SB 254**, An act concerning persons not engaged in the practice of the healing arts; amending K.S.A. 65-2872 and repealing the existing section.

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

**Sub 143—**

**Sub SB 143**, An act concerning elections; relating to electronic and electromechanical voting systems; amending K.S.A. 25-4401, 25-4403, 25-4404, 25-4405, 25-4406, 25-4407, 25-4409, 25-4410, 25-4411, 25-4412, 25-4413 and 25-4414 and repealing the existing sections; also repealing K.S.A. 25-1307, 25-1308, 25-1309, 25-1310, 25-1311, 25-1312, 25-1313, 25-1314, 25-1315, 25-1317, 25-1318, 25-1319, 25-1320, 25-1321, 25-1322, 25-1324, 25-1325, 25-1326, 25-1327, 25-1328, 25-1329, 25-1330, 25-1331, 25-1332, 25-1333, 25-1334, 25-1335, 25-1336, 25-1337, 25-1338, 25-1339, 25-1341 and 25-1343.

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

**223—**

**SB 223**, An act concerning payday loans; relating to fees; relating to collection from deployed military personnel; amending K.S.A. 2004 Supp. 16a-2-404 and repealing the existing section.

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

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**Bills Adversely Reported**