

# SENATE CALENDAR

No. 45

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WEDNESDAY, MARCH 16, 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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## 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

### **299—**

**SB 299**, An act concerning alcoholic beverages; enacting the cereal malt beverage retailers' act; providing for an increase in the maximum permitted alcohol content of cereal malt beverage under certain circumstances; amending K.S.A. 41-103, 41-312 and 41-410 and repealing the existing sections.

Committee on Federal and State Affairs

(Federal and State Affairs)

**300—**

**SB 300**, An act concerning the Kansas partnership for faculty of distinction program; relating to earnings equivalent awards; amending K.S.A. 2004 Supp. 76-775 and repealing the existing section.

Committee on Ways and Means  
(Ways and Means)

**Sub 2003—**

**Sub HB 2003**, An act concerning the emerging industry investment act; amending K.S.A. 2004 Supp. 74-99b33 and 74-99b34 and repealing the existing sections.

Committee on Taxation  
(Commerce)

**2448—**

**HB 2448**, An act concerning the angel investor tax credit act; amending K.S.A. 2004 Supp. 74-8131, 74-8132, 74-8133, 74-8134, 74-8135 and 74-8136 and repealing the existing sections.

Committee on Taxation  
(Commerce)

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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

**113—**

**SB 113**, An act concerning agriculture; relating to soil amendment products; amending K.S.A. 2-2808 and K.S.A. 2004 Supp. 2-2805 and repealing the existing sections; also repealing K.S.A. 2004 Supp. 2-2806

Committee on Agriculture  
(As amended by the House)

**266—**

**SB 266**, An act authorizing the secretary of the department of administration to transfer certain land.

Committee on Ways and Means  
(As amended by the House)

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REPORTS OF SELECT COMMITTEES

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## Consent Calendar

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

### 2078— (Third Day)

**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)  
(Be passed)

### 2154— (Third Day)

**HB 2154**, An act concerning pharmacists; relating to hearings; repealing K.S.A. 65-1627d, 65-1627e and 65-1627g.

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

### 2171— (Third Day)

**HB 2171**, An act concerning insurance; relating to risk-based capital requirements; amending K.S.A. 2004 Supp. 40-2c01 and repealing the existing section.

Committee on Insurance

(Financial Institutions and Insurance)  
(Be passed)

### 2330— (Third Day)

**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)  
(Be passed)

### 2418— (Third Day)

**HB 2418**, An act concerning criminal procedure; relating to conditions of release prior to trial; amending K.S.A. 2004 Supp. 22-2802 and repealing the existing section.

Representative Yoder

(Judiciary)  
(Be passed)

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## Final Action on Bills and Concurrent Resolutions

### Sub 33—

**Sub SB 33**, An act concerning private construction contracts, enacting the Kansas fairness in private construction contract act.

Committee on Commerce

(Commerce)  
(Be passed)

**44—**

**SB 44**, An act concerning the teacher service scholarship program; amending K.S.A. 74-32,101 and 74-32,102 and repealing the existing sections.

(Education)  
 (Withdrawn) (Education)  
 (Referred) (Ways and Means)  
 (Withdrawn) (Ways and Means)  
 (Rereferred) (Education)  
 (Be passed as amended)

**263—**

**SB 263**, An act concerning membership of the emergency medical services board; amending K.S.A. 65-6102 and repealing the existing section.

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

**268—**

**SB 268**, An act concerning insurance products; relating to the interstate insurance product regulation compact.

Committee on Federal and State Affairs  
 (Financial Institutions and Insurance)  
 (Be passed)

**1609—**

**SCR 1609**, A concurrent resolution urging Congress to provide funding to the Kansas Department of Transportation to improve and upgrade the department's radio communication system.

Committee on Utilities  
 (Committee of the Whole)  
 (Be adopted)

**2027—**

**HB 2027**, An act concerning library boards; amending K.S.A. 12-1222 and repealing the existing section.

Representatives Colloton and Wilk  
 (Federal and State Affairs)  
 (Be passed)

**2052—**

**HB 2052**, An act concerning solid waste; relating to uncontaminated soil; amending K.S.A. 65-3402 and repealing the existing section.

Committee on Environment  
 (Natural Resources)  
 (Be passed)

**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)  
 (Be passed)

**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)  
(Be passed)

**2099—**

**HB 2099**, An act relating to credit unions; concerning powers of the credit union administrator; amending K.S.A. 17-2206 and 17-2244 and K.S.A. 2004 Supp. 17-2223a and repealing the existing sections.

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

**2109—**

**HB 2109**, An act concerning motor vehicles; relating to the child passenger safety act and the safety belt use act; amending K.S.A. 8-1343a, 8-1344, 8-1345, 8-2502 and 8-2503 and repealing the existing sections.

Committee on Transportation  
(Transportation)  
(Withdrawn) (Transportation)  
(Referred) (Judiciary)  
(Be passed as amended)

**2140—**

**HB 2140**, An act concerning the procedure for redevelopment districts to finance investigation and remediation of flood-plain conditions; qualifications; amending K.S.A. 2004 Supp. 12-1770a and 12-1771e and repealing the existing sections.

Representative O'Malley  
(Commerce)  
(Be passed as amended)

**2153—**

**HB 2153**, An act concerning the secretary of aging; relating to the long-term care ombudsman; amending K.S.A. 2004 Supp. 75-7306 and 75-7310 and repealing the existing sections.

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

**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)  
(Be passed)

**2164—**

**HB 2164**, An act concerning the Kansas enterprise zone act; relating to sales tax exemption requirements; time extension; amending K.S.A. 2004 Supp. 74-50,115 and repealing the existing section.

Committee on Economic Development  
(Commerce)  
(Be passed)

**5004—**

**HCR 5004**, A concurrent resolution urging Congress to modify the provisions of the National Voter Registration Act of 1993 to simplify the procedure for removal of voters from voter registration lists.

Representatives F. Miller, Dahl, Faber, Freeborn, Goico, Huy, E. Johnson, McCreary, McLeland, Merrick, Judy Morrison, Myers, Peck, Powers and Siegfried

(Elections and Local Government)  
(Be adopted 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

**2122—**

**HB 2122**, An act concerning crimes and punishment; relating to the loss of value of the crime; amending K.S.A. 16-305, 19-3519, 21-3720, 21-3729, 21-3734, 21-3902, 21-3904, 21-3905, 21-4111, 39-717, 40-247, 40-2,118 and 44-5,125 and K.S.A. 2004 Supp. 21-3437, 21-3707, 21-3763, 21-3846, 32-1005, 40-5013 and 47-1827 and repealing the existing sections.

Representative Huff

(Judiciary)  
(Be passed as amended)

**S Sub 2016—**

**S Sub for HB 2016**, An act concerning offenses against children; relating to enhancing penalties; amending K.S.A. 21-3510 and 21-3511 and K.S.A. 2004 Supp. 21-3516 and repealing the existing sections.

Committee on Judiciary

(Judiciary)  
(Be passed)

**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)  
(Be passed as amended)

**2314—**

**HB 2314**, An act concerning offender registration; relating to timing; amending K.S.A. 2004 Supp. 22-4906 and repealing the existing section.

Committee on Corrections and Juvenile Justice  
(Judiciary)  
(Be passed as amended)

**2323—**

**HB 2323**, An act concerning insurance companies; relating to statutory changes for compatibility with the Kansas corporation code; amending K.S.A. 40-305 and 40-502 and K.S.A. 2004 Supp. 40-306 and repealing the existing sections.

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

**2347—**

**HB 2347**, An act authorizing the state board of regents to sell and convey a certain tract of real estate located in Ellis county, Kansas, for and on behalf of Fort Hays state university to the city of Hays, Kansas.

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

**2183—**

**HB 2183**, An act concerning Fort Hays state university; relating to the capital improvement project to renovate the memorial union; amending section 11 of chapter 184 of the 2004 Session Laws of Kansas and repealing the existing section.

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

**2325—**

**HB 2325**, An act relating to insurance; pertaining to guaranteed investment contracts and related types of insurance contracts; amending K.S.A. 40-401, 40-436 and 40-3641 and repealing the existing sections.

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

**217—**

**SB 217**, An act requiring tuberculosis evaluations for certain faculty, staff and students who enter high school, college or university classrooms.

Committee on Public Health and Welfare  
 (Public Health and Welfare)  
 (Withdrawn) (Public Health and Welfare)  
 (Referred) (Ways and Means)  
 (Withdrawn) (Ways and Means)  
 (Rereferred) (Public Health and Welfare)  
 (Be passed as amended)

**Sub 85—**

**Sub SB 85**, An act concerning the department of social and rehabilitation services; relating to a program for breast reconstructive surgery.

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

**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)  
 (Be passed)

**2387—**

**HB 2387**, An act concerning deaths of inmates, prisoners or juvenile offenders; amending K.S.A. 2004 Supp. 19-1935 and 75-52,147 and repealing the existing sections.

Committee on Corrections and Juvenile Justice  
 (Judiciary)  
 (Be passed as amended)

**259—**

**SB 259**, An act concerning workers compensation; relating to administrative law judges; compensation; amending K.S.A. 2004 Supp. 44-551 and 75-5708 and repealing the existing sections.

Committee on Commerce  
 (Commerce)  
 (Withdrawn) (Commerce)  
 (Referred) (Ways and Means)  
 (Withdrawn) (Ways and Means)  
 (Rereferred) (Commerce)  
 (Be passed as amended)

**2315—**

**HB 2315**, An act relating to motor vehicles; concerning permanent registration; amending K.S.A. 2004 Supp. 8-1,134 and repealing the existing section.

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

**2327—**

**HB 2327**, An act concerning crimes and punishment; relating to the juvenile justice authority and the testing of juvenile offenders for infectious diseases; amending K.S.A. 65-6015 and 65-6017 and repealing the existing sections.

Committee on Corrections and Juvenile Justice  
(Judiciary)  
(Be passed)

**278—**

**SB 278**, 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 Federal and State Affairs  
(Transportation)  
(Be passed)

**ANTICIPATED END OF DEBATE CALENDAR****275—**

**SB 275**, An act concerning the secretary of state; relating to fees for certain publications provided by the secretary of state; amending K.S.A. 2004 Supp. 45-107, 75-436, 77-430 and 77-431 and repealing the existing sections.

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

**1608—**

**SCR 1608**, A concurrent resolution memorializing the Congress of the United States to designate a national holiday in honor of Cesar Chavez.

Senator Hensley  
(Federal and State Affairs)  
(Be adopted)

**2129—**

**HB 2129**, An act concerning criminal procedure; relating to indigent defense services; amending K.S.A. 2004 Supp. 22-4507 and repealing the existing section.

Committee on Corrections and Juvenile Justice  
(Judiciary)  
(Be passed as amended)

**84—**

**SB 84**, An act making and concerning appropriations for the fiscal year ending June 30, 2006, for the department of health and environment; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing.

Senator Barnett  
(Ways and Means)  
(Be passed as amended)

**2168—**

**HB 2168**, An act concerning the uniform commercial code; relating to negotiable instruments and bank deposits; concerning a demand draft; amending K.S.A. 84-3-103, 84-3-104, 84-3-309, 84-3-416, 84-3-417, 84-4-207 and 84-4-208 and repealing the existing sections.

Committee on Judiciary

(Judiciary)  
(Be passed)

**2247—**

**HB 2247**, An act concerning school records of certain pupils; relating to the transfer thereof; imposing duties upon the secretary of the department of social and rehabilitation services.

Representative Decker

(Education)  
(Be passed as amended)

**2265—**

**HB 2265**, An act concerning commerce; concerning qualified manufacturers of cellulose film.

Committee on Economic Development

(Commerce)  
(Be passed as amended)

**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)  
(Be passed as amended)

**2409—**

**HB 2409**, An act relating to roads and highways; designating part of United States highway 54 as the Veterans Memorial highway; amending K.S.A. 2004 Supp. 68-1029 and repealing the existing section.

Representatives Grange, Dahl, George, Huy, E. Johnson, Kelsey, Knox, McCreary, McLeland, Oharah and Otto

(Transportation)  
(Be passed as amended)

**2152—**

**HB 2152**, An act concerning the master settlement agreement for tobacco products; relating to the appeal bond; amending K.S.A. 2004 Supp. 50-6a05 and repealing the existing section.

Committee on Judiciary

(Judiciary)  
(Be passed)

**179—**

**SB 179**, An act concerning offenses against children; relating to enhancing penalties; amending K.S.A. 21-3510 and 21-3511 and K.S.A. 2004 Supp. 21-3516 and repealing the existing sections.

Committee on Judiciary

(Judiciary)  
 (Withdrawn) (Judiciary)  
 (Referred) (Ways and Means)  
 (Withdrawn) (Ways and Means)  
 (Rereferred) (Judiciary)  
 (Be passed as amended)

**117—**

**SB 117**, An act concerning criminal procedure; relating to offender registration; amending K.S.A. 2004 Supp. 22-4902, 22-4909 and 22-4912 and repealing the existing sections.

Senator Brownlee

(Judiciary)  
 (Be passed as amended)  
 (Committee report adopted)  
 (Be further amended)  
 (Killed Final Action)  
 (Adverse action reconsidered)  
 (Returned) (General Orders)  
 (Withdrawn) (General Orders)  
 (Referred) (Ways and Means)  
 (Withdrawn) (Ways and Means)  
 (Returned) (General Orders)  
 (Withdrawn) (General Orders)  
 (Rereferred) (Judiciary)  
 (Be passed as amended)

**S Sub 2084—**

**S Sub for HB 2084**, An act relating to the state corporation commission; concerning telecommunications; providing for a study of local service competition; guidelines; report.

Committee on Utilities

(Utilities)  
 (Be passed)

**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)  
 (Be adopted as amended)

**293—**

**SB 293**, An act authorizing the state historical society to convey certain land at the Shawnee Indian mission historic site to the city of Fairway, Kansas; disposition of proceeds.

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

**164—**

**SB 164**, An act concerning cities; relating to quarterly reports of the treasurer; amending K.S.A. 12-1608 and repealing the existing section

Committee on Elections and Local Government  
(Elections and Local Government)  
(Be passed as amended)  
(Withdrawn) (General Orders)  
(Referred) (Ways and Means)  
(Withdrawn) (Ways and Means)  
(Returned) (General Orders)

**87—**

**SB 87**, An act relating to the Kansas department of wildlife and parks; providing for the funding thereof; amending K.S.A. 32-901 and K.S.A. 2004 Supp. 8-145 and repealing the existing sections.

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

**262—**

**SB 262**, An act enacting the efficiency in local government act; amending K.S.A. 2004 Supp. 19-205 and repealing the existing section.

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

**2083—**

**HB 2083**, An act relating to the consolidation of cities and counties.

Representatives Lane, Burgess, Flora, Gordon, Hutchins, Kirk, Kuether, Mah and Mays

(Federal and State Affairs)  
(Be passed)

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## Bills Adversely Reported