

Journal of the House

FOURTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 28, 2005, 10:30 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 120 members present.
Reps. Neufeld and Powers were excused on legislative business.
Reps. Merrick and M. Miller were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

Almighty God, we gather in your presence with joyful and grateful hearts as we celebrate our birthday.

From days long ago you have blessed us with an abundance of riches and with your unwavering grace.

You have brought us through all trials and protected us with your sure hand.

We thank you for the beauty and the bounty of Kansas. We thank you for allowing us to share the plenty you provide with our country.

But above all, Lord, we thank you for the people of Kansas, who live, work, worship, and play with us. Bless them and bless our beautiful state which we acknowledge before you, is truly as big as you think! Amen.

The Pledge of Allegiance was led by Rep. Phelps.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2214, An act concerning crimes and punishment; relating to counterfeiting United States currency, by Representative Kilpatrick.

HB 2215, An act relating to commercial driver's licenses; creating the hazmat fee fund; amending K.S.A. 8-259 and K.S.A. 2004 Supp. 8-267 and 8-2,151 and repealing the existing sections, by Committee on Transportation.

HB 2216, An act regulating traffic; restricting the use of wireless telephones while driving; amending K.S.A. 8-2106 and repealing the existing section, by Committee on Transportation.

HB 2217, An act relating to the division of vehicles; concerning records thereof; amending K.S.A. 2004 Supp. 74-2012 and repealing the existing section, by Committee on Transportation.

HB 2218, An act relating to drivers' licenses; concerning certain age restrictions; amending K.S.A. 8-235d, 8-237, 8-239, 8-296, 8-297 and 8-2,147 and K.S.A. 2004 Supp. 8-240 and repealing the existing sections, by Representative Burroughs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were referred to committees as indicated:

Agriculture: **HCR 5007**.

Appropriations: **HB 2189**, **HB 2190**, **HB 2191**, **HB 2192**, **HB 2193**, **HB 2194**, **HB 2196**.

Commerce and Labor: **HB 2202**.

Corrections and Juvenile Justice: **HB 2199, HB 2200, HB 2201, HB 2206.**
 Education: **HB 2188, HB 2212.**
 Financial Institutions: **HB 2205.**
 Governmental Organization and Elections: **HB 2198, HB 2209.**
 Health and Human Services: **HB 2204** (separately); **HB 2208.**
 Insurance: **HB 2203.**
 Judiciary: **HB 2211, HB 2213.**
 Taxation: **HB 2187, HB 2195, HB 2197, HB 2204** (separately); **HB 2207; HCR 5008.**
 Wildlife, Parks and Tourism: **HB 2210.**

COMMUNICATIONS FROM STATE OFFICERS

From John W. Campbell, General Counsel, Kansas Insurance Department, pursuant to K.S.A. 40-5109, Kansas Insurance Score Act, Report to the Legislature, January 26, 2005.

From Patricia Michaelis, State Archivist, State Records Board Annual Report for fiscal year 2004.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

MESSAGE FROM THE SENATE

Announcing passage of **SB 1, SB 16, SB 26, SB 41.**

Announcing passage of **HB 2007.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 1, SB 16, SB 26, SB 41.

CONSENT CALENDAR

No objection was made to **HB 2040** appearing on the Consent Calendar for the second day.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SCR 1601** be adopted.

Committee on **Transportation** recommends **HB 2090, HB 2109** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 16, by Representative Merrick, congratulating Jerry Rutherford on being inducted into the Kansas City Blues Rugby Club Hall of Fame;

Request No. 17, by Representative Dahl, congratulating Reign and Marlene Anduss on their 50th wedding anniversary;

Request No. 18, by Representative Schwartz, congratulating Alvin and JoAnn Deters on their 50th wedding anniversary;

Request No. 19, by Representative Menghini, congratulating Jones Realty on their 100 years of service to the Pittsburg community;

Request No. 20, by Representative Grant, congratulating Eunice L. Bernardi on her 100th birthday;

Request No. 21, by Representative Ballard, congratulating Pastors William and Pauline Dulin, Paul Winn, and Leo and Anne Barbee on the 20th anniversary of the Dr. Martin Luther King, Jr. holiday;

Request No. 22, by Representative Ballard, congratulating Anita Martin on the 20th Anniversary of the Dr. Martin Luther King, Jr. holiday;

Request No. 23, by Representative Ballard, congratulating William M. Berkowitz on attaining the rank of Eagle Scout;

Request No. 24, by Representative Henderson, congratulating Wendell and Juanda Y. Henderson on their 50th wedding anniversary;

Request No. 25, by Representative George, congratulating the Dodge City Senior High School Basketball Team for winning the Tournament of Champions for three consecutive years;

Request No. 26, by Representative Loyd, congratulating Dustin Boyle on attaining the rank of Eagle Scout;

Request No. 27, by Representative Loyd, congratulating Ashley Peirano on being nominated to the All-Kansas Academic Team;

Request No. 28, by Representative Loyd, congratulating Aimee Zeller on being nominated to the All-Kansas Academic Team;

Request No. 29, by Representatives D. Johnson and Phelps, honoring Steve Mosier on being awarded the 2005 Alumni Recognition Award from the KSU College of Veterinary Medicine;

Request No. 30, by Representatives D. Johnson and Phelps, honoring Michael Diehl on his service as a guard for the Tomb of the Unknown Soldier;

Request No. 31, by Representatives D. Johnson and Phelps, commending Jack Mendenhall on his 42½ years of service as the Rush County Sheriff; be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Aurand, the committee report was adopted.

In recognition of Kansas Day, Rep. Ballard led the members of the House in singing "Happy Birthday" to Kansas and "Home on the Range."

SPECIAL PRESENTATION IN HONOR OF KANSAS DAY

Rep. Ruff addressed a few remarks giving the background of the program, "Bleeding Kansas," which was written by J. Howard Duncan. The characters were as follows: General James Lane, played by Tim Rues; Mathilda Barber, played by Charlene Winter; Dr. Charles Robinson, played by Howard Duncan; and John Brown, Sr., played by Alan Sherrill.

Rep. Ruff also introduced Jennie Chinn, Executive Director of the Kansas Historical Society.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2219, An act concerning sales taxation; relating to exemptions; project of West Sedgwick County-Sunrise Rotary Club; amending K.S.A. 2004 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2220, An act concerning sales taxation; relating to exemptions; cleaning and reconditioning of storage and transport petroleum drums; amending K.S.A. 2004 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2221, An act concerning sales taxation; relating to exemptions; public libraries and support organizations; amending K.S.A. 2004 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2222, An act enacting the individual development account program act; prescribing certain duties and responsibilities on the department of commerce; amending K.S.A. 74-5005 and K.S.A. 2004 Supp. 79-32,117 and repealing the existing sections; also repealing K.S.A. 79-32,117h and K.S.A. 2004 Supp. 79-32,117j and 79-32,117k, by Committee on Taxation.

HB 2223, An act concerning the board of pharmacy; relating to hearing costs; amending K.S.A. 65-1627h and repealing the existing section, by Committee on Health and Human Services.

HB 2224, An act concerning health care; relating to a pain patient's bill of rights, by Committee on Health and Human Services.

HB 2225, An act concerning pharmacists; relating to renal dialysis facility pharmacist consultants; amending K.S.A. 65-1661 and repealing the existing section, by Committee on Health and Human Services.

REPORT ON ENROLLED RESOLUTIONS

HR 6007, HR 6008 reported correctly enrolled and properly signed on January 28, 2005.

On motion of Rep. Aurand, the House adjourned pro forma until 8:30 a.m., Monday, January 31, 2005.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

