

SPECIAL SESSION

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 23, 2005, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 122 members present.
Reps. Kiegerl and Showalter were excused on verified illness.
Rep. Goico was excused on legislative business.

Prayer by Chaplain Chamberlain:

Dear God and Father of humankind, hear our prayers and grant us your grace. You, O God, are the font of wisdom and blessing. Send your gifts upon us in these days. We need you, Lord, and we need what you give to us.

Hear us as we admit our frustrations. Hear us as we confess our sin. Hear us as we seek to understand. Hear us as we seek to hear your still, small voice in the midst of disagreement, debate, and decision.

Lord, as competing interests swirl about us, as pressures mount to hold on to whatever positions we've taken, as we are tempted to denigrate those who hold positions other than our own: remind us of this moment - when those with whom we most disagree stand silently with us, in your presence, their spirits bowed in prayer. Remind us that we are your children and that we cannot both love you and deny our love for one another. Give us the spirit in these days to treat one another as family — even when the family is fighting. Because at the end of the day, Lord, we will all stand together again before you, shoulder to shoulder, hoping to hear your judgment, "Well done, good and faithful servant."

Lord, in your mercy: Hear our prayer. Amen.

The Pledge of Allegiance was led by Rep. Grant.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2012, An act concerning school districts; relating to the consolidation thereof, by Select Committee on School Finance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committee as indicated:

Select Committee on School Finance: **HB 2006**, **HB 2007**, **HB 2008**, **HB 2009**, **HB 2010**, **HB 2011**.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. Hayzlett in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2005** be passed.

On motion of Rep. Landwehr, **HB 2004** be amended on page 1, in line 30, by subtracting \$50,000 from the dollar amount which reads "\$200,000" and by adjusting the dollar amount in line 30 which reads "\$200,000" accordingly;

Also on page 1, following line 30, by inserting the following material:
"Young Kansans — safe kids program

For the fiscal year ending June 30, 2006..... \$250,000
Provided, That all expenditures from the young Kansans — safe kids program account shall be made only for the purpose of matching nonstate moneys for young Kansans — safe kids program projects on the basis of \$1 from this account and \$1 from nonstate moneys: *Provided further*, That the attorney general shall prepare and submit a report on expenditures from the young Kansans — safe kids program account during January, 2006, to the committee on appropriations of the house of representatives and the committee on ways and means of the senate.”;

Also on page 1, following line 37, by inserting the following material:

“(c) On July 1, 2005, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the social welfare fund of the department of social and rehabilitation services to the state general fund for the purpose of financing the young Kansans — safe kids program of the attorney general.”;

Also on page 1, in the title, in line 10, after “attorney general” by inserting “and the department of social and rehabilitation services”;

Also, on motion of Rep. Schwab to amend **HB 2004**, the motion was withdrawn.

Also, on motion of Rep. Kirk to amend **HB 2004**, the motion did not prevail.

Also, on motion of Rep. Crow, **HB 2004** be amended on page 1, in line 38, by inserting: “Sec. 3. For fiscal year 2006, the requirement in K.S.A. 46-3001, that a member of the committee from the house of representatives shall be a member of the committee on insurance is waived.”;

Also, on motion of Rep. Lane to amend **HB 2004**, the motion was withdrawn.

Also, on motion of Rep. Kelley, **HB 2004** be amended on page 1, in line 16, after “ending” by inserting “June 30, 2005, and”; following line 37, by inserting the following material:

“Sec. 3. On the effective date of this act, section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby amended to read as follows: Sec. 83. (a) On and after the effective date of this act, during the fiscal year ending June 30, 2005, and during the fiscal year ending June 30, 2006, no expenditures shall be made *by any state agency* from any moneys appropriated for ~~any state agency~~ from the state general fund or any special revenue fund for fiscal year 2005 ~~and~~ or fiscal year 2006 by chapter 123 or 184 of the 2004 Session Laws of Kansas or by 2005 Senate Bill No. 225 or ~~by this or other appropriation act~~ *2005 Senate Substitute for House Bill No. 2482* of the 2005 regular session of the legislature, or *by this or other appropriation or other act of the special session of 2005 of the legislature* for media advertising by any state agency ~~of the state of Kansas~~ unless such media advertising includes ~~a disclosure~~ *the specific statement* that such media advertising is funded, in whole or in part, by state taxpayer dollars, as the case may be *and includes the following specific statement: “Paid for by your Kansas tax dollars”. The specific statement shall be included so that the specific statement is easily seen and read or can be easily heard, in the case of media advertising utilizing audible broadcast media.*

(b) As used in this section “state agency” has the meaning ascribed thereto by K.S.A. 75-3701 and amendments thereto; and “media advertising” includes all forms of (1) advertising that are expressed or otherwise communicated, in any fashion, utilizing or otherwise through the use of (A) billboards, newspapers, advertisements, handbills, mailings or any other printed materials, or (B) television, radio, internet or any other broadcast media or technology; or, (2) promotional activities, products or other items that are provided with or through the use of any product or item including any pencil, pen, beverage container, tote or other carry bag, poster, map, or other gift or giveaway item.

(c) The provisions of this section shall be broadly construed, applied and administered to be as inclusive as possible. The provisions of this section shall not apply to any media advertising that has been printed or manufactured prior to July 1, 2005.

Sec. 4. On the effective date of this act, section 83 of 2005 Senate Substitute for House Bill No. 2482 is hereby repealed.”;

And by renumbering sections accordingly;

On page 1, in the title, in line 9, after “ending” by inserting “June 30, 2005, and”; in line 10, striking “the attorney general” and inserting “state agencies”; in line 13, before the period by inserting “; amending section 83 of 2005 Senate Substitute for House Bill No. 2482 and repealing the existing section”;

Also, on motion of Rep. DeCastro, **HB 2004** be amended on page 1, in line 38, by inserting:

“Sec. 3. For fiscal year 2006, the requirement in K.S.A. 46-3001, that a member of the Children’s Issues Committee from the house of representatives shall be a member of the appropriation committee is waived.”; and **HB 2004** be passed as amended.

MESSAGE FROM THE SENATE

Announcing passage of **SB 3**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 3.

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 bill was thereupon introduced and read by title:

HB 2013, An act concerning schools and school districts; relating to school finance; amending K.S.A. 72-6405, as amended by section 19 of 2005 Senate Bill No. 43, 72-6410, as amended by section 14 of 2005 House Bill No. 2247, 72-6412, as amended by section 15 of 2005 House Bill No. 2247, 72-6413, as amended by section 16 of 2005 House Bill No. 2247, 72-6414, as amended by section 17 of 2005 House Bill No. 2247, 72-6426 and section 3 of 2005 House Bill No. 2247, and K.S.A. 2004 Supp. 72-978, as amended by section 10 of 2005 House Bill No. 2247, 72-6407, as amended by section 16 of 2005 Senate Bill No. 43, and 72-6434, as amended by section 24 of 2005 House Bill No. 2247, and repealing the existing sections, by Select Committee on School Finance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker pro tem Merrick announced the referral of the following bill to committee as indicated:

Select Committee on School Finance: **SB 3**.

On motion of Rep. Aurand, the House recessed until 5:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker Mays in the chair.

MESSAGE FROM THE SENATE

Announcing passage of **SB 5**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 5.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker Mays announced the referral of the following bills to committee as indicated:

Select Committee on School Finance: **HB 2012, HB 2013; SB 5.**

On motion of Rep. Aurand, the House recessed until 8:00 p.m.

NIGHT SESSION

The House met pursuant to recess with Speaker Mays in the chair.

REPORTS OF STANDING COMMITTEES

Select Committee on School Finance recommends **SB 3** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 3," as follows:

"HOUSE Substitute for SENATE BILL No. 3

By Committee on Select Committee on School Finance

"AN ACT concerning schools and school districts; amending K.S.A. 46-1222, 46-1224, 60-2106, 72-6405, as amended by section 19 of 2005 Senate Bill No. 43, 72-6421, as amended by section 21 of 2005 House Bill No. 2247, 72-6426, 72-9509, as amended by section 41 of 2005 House Bill No. 2247, and 79-1801 and K.S.A. 2004 Supp. 72-6407, as amended by section 16 of 2005 Senate Bill No. 43, and 72-6434, as amended by section 24 of 2005 House Bill No. 2247, and section 2 of 2005 House Bill No. 2247, section 3 of 2005 House Bill No. 2247, section 18 of 2005 House Bill No. 2247, section 10 of 2005 Senate Bill No. 43, section 22 of 2005 Senate Bill No. 43, and section 23 of 2005 Senate Bill No. 43 and repealing the existing sections; also repealing K.S.A. 46-1223, 72-6433, as amended by section 17 of 2005 Senate Bill No. 43, section 12 of 2005 Senate Bill No. 43, section 13 of 2005 Senate Bill No. 43, and section 20 of 2005 House Bill No. 2247."; and the substitute bill be passed.

(**H. Sub. for SB 3** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2004 reported correctly engrossed June 23, 2005.

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002, HR 6003 reported correctly enrolled and properly signed on June 23, 2005.

On motion of Rep. Aurand, the House adjourned until 10:00 a.m., Friday, June 24, 2005.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

