

Journal of the House

SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 16, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.
The roll was called with 123 members present.
Reps. Kelley and Wilk were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Kenneth A. Baker, Lecompton United Methodist Church, Lecompton, and guest of Rep. Sloan:

“God said [to Solomon], “Ask for whatever you want me to give you.”

“Now, O LORD my God, you have made your servant king in place of my father David. But I am only a little child and do not know how to carry out my duties. Your servant is here among the people you have chosen, a great people, too numerous to count or number. So give your servant a discerning heart to govern your people and to distinguish between right and wrong. For who is able to govern this great people of yours?” The Lord was pleased that Solomon had asked for this. So God said to him, “Since you have asked for this and not for long life or wealth for yourself, nor have asked for the death of your enemies but for discernment in administering justice, I will do what you have asked. I will give you a wise and discerning heart, so that there will never have been anyone like you, nor will there ever be.” (1Kings 3:5, 7-12)

Almighty God.

We have gathered here this morning as those entrusted with the responsibility of overseeing the welfare of the people in the great state of Kansas. Lead us in our deliberations and governance that we may truly be a blessing to all those in our charge. Guide us in our words and actions that we may seek out unity, rather than division, that we might forgo divisiveness and seek rather, a meeting of minds. Above all, O God, grant to us the wisdom to serve the people of this great state faithfully, and the discernment to lead this great people in ways that will bless them and the generations to come. Give us wisdom, O Lord, that we may be a blessing to our people, even as you are a blessing to us. Bless thou these who have gathered here, O Lord, giving them safety in their travels, fortitude for their work, and blessing in their fellowship. In the name of the Father, and the Son, and the Holy Spirit. Amen.

The Pledge of Allegiance was led by Rep. Svaty.

SPECIAL REMARKS

There being no objection, the following remarks of Rep. Ballard in recognition of the birthday of Dr. Martin Luther King Jr. are spread upon the journal:

The last of the black preachers who came up in the era of Martin Luther King Jr. Are nearing retirement, giving way to a generation who learned about the civil rights movement instead of living through it.

It's a transition that carries challenges and opportunities for pastors and churches committed to continuing the social justice work of the previous generation.

“If you have an institution that is constituted around a dynamic, charismatic personality, can it continue to exist when that person steps down?” asked Melissa Harris-Lacewell, associate professor of politics and African-American studies at Princeton University.

For the Rev. Thomas Johnson Jr., preaching a social justice gospel is still viable and necessary — even without King and his compatriots.

“God is always raising up a voice or voices to speak to the needs of the present day,” said Johnson. (By Associated Press Writer, Deepti Hajela)

Ordinary people can make a difference. What can I do? As Margaret Mead once said, “Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

We all in this chamber try to make a difference in the lives of our constituents. We are just ordinary people who sometimes do extraordinary things. Dr. Martin Luther King was an ordinary person who did extraordinary things for all people and for the world.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2066, An act concerning electric transmission lines; relating to extension and upgrades of such lines; amending K.S.A. 66-1,173 and 66-1,182 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2067, An act relating to the Kansas commission on veterans affairs; relating to employees thereof; amending K.S.A. 73-1210a and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2068, An act concerning security officers appointed by the adjutant general; relating to powers as law enforcement officers; amending K.S.A. 48-204 and K.S.A. 2006 Supp. 74-5602 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2069, An act relating to state educational institutions; concerning tuition and fees; requiring a report by the state board of regents, by Representative Otto.

HB 2070, An act concerning intensive groundwater use control areas; amending K.S.A. 2006 Supp. 82a-1038 and repealing the existing section, by Committee on Appropriations.

HB 2071, An act relating to highways; designating certain memorial highways, by Representatives Olson, George and Vickrey.

HOUSE CONCURRENT RESOLUTION No. 5004—

By Representative Otto

A PROPOSITION to amend section 13 of article 2 of the constitution of the state of Kansas, relating to the passage of appropriation bills.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 13 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

“§ 13. Majority Votes required for passage of bills. A majority of the members then elected (or appointed) and qualified of each house, voting in the affirmative, shall be necessary to pass any bill *except that 60% of such members in each house shall be required to approve any appropriation bill containing any new item of appropriation or any item of appropriation for a fiscal year that is greater than the amount of the prior year's appropriation for such purpose plus a percentage equal to the percentage increase in the consumer price index for all urban consumers, as officially reported by the bureau of labor statistics of the United States department of labor, or its successor index.* Two-thirds (~~2/3~~) of the members then elected (or appointed) and qualified in each house, voting in the affirmative, shall be necessary to ratify any amendment to the Constitution of the United States or to make any application for congress to call a convention for proposing amendments to the Constitution of the United States.”

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

“Explanatory statement. The purpose of this amendment is to require a vote of 60% of the members of the Kansas house of representatives and the Kansas senate in order to pass any appropriation bill that contains either a new item of appropriation of money or contains an item of appropriation of money that is greater than the amount of the prior year’s appropriation for such purpose plus the percentage increase in the specified consumer price index.

“A vote for this amendment would require a vote of 60% of the members in the Kansas house and senate to pass any appropriation bill that contains any new item of appropriation or contains an item of appropriation for a fiscal year that is greater than the amount of the prior year’s appropriation plus the percentage increase in the specified consumer price index.

“A vote against this amendment would provide no change to the Kansas constitution and would continue the requirement that a majority vote of the members of the house and senate are required for the passage of any bill.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election to be held on November 4, 2008.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education: **HB 2063.**

Insurance and Financial Institutions: **HB 2065.**

Transportation: **HB 2064.**

MESSAGE FROM THE GOVERNOR

January 10, 2007

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 07-373 for your information.

EXECUTIVE DIRECTIVE No. 07-373

Concerning Energy Conservation and Management

KATHLEEN SEBELIUS

Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

COMMUNICATIONS FROM STATE OFFICERS

From Larry Welch, Director, Kansas Bureau of Investigation, KBI Annual Report for 2006.

From Larry Welch, Director, Kansas Bureau of Investigation, in accordance with K.S.A. 60-4117, report regarding the status of the KBI State Forfeiture Fund.

From Stephen R. Weatherford, President, Kansas Development Finance Authority, Annual Report for fiscal year ended June 30, 2006.

From Tod M. Bunting, Major General, Kansas National Guard, The Adjutant General’s Department, Annual Report 2006.

From Stephen R. Weatherford, President, Kansas Housing Resources Corporation, Financial Statements for the years ended June 30, 2006 and 2005 and Independent Auditors’ Report.

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

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 2072, An act concerning school districts; relating to school finance; relating to full-day kindergarten; amending K.S.A. 2006 Supp. 72-6407 and repealing the existing section, by Committee on Education.

HB 2073, An act concerning law libraries; relating to fee increase authority; amending K.S.A. 2006 Supp. 20-3129 and repealing the existing section, by Committee on Judiciary.

HB 2074, An act concerning juveniles; relating to fingerprints and photographs; amending K.S.A. 2006 Supp. 38-2313 and repealing the existing section, by Committee on Judiciary.

HB 2075, An act concerning real property; relating to home inspections, by Committee on Judiciary.

APPOINTMENT OF JOINT COMMITTEES

January 12, 2007

Speaker Melvin Neufeld
State Capitol
Topeka KS 66612

Dear Speaker Neufeld:

The following are my designees for Joint Committees during the 2007-2008 term.

Joint Committee on Administrative Rules & Regulations: Jan Pauls, Josh Svaty and Mark Treaster.

Joint Committee on Arts & Cultural Resources: Candy Ruff and Oletha Faust-Goudeau.

Joint Committee on Children's Issues: Sue Storm and Marti Crow.

Joint Committee on Corrections & Juvenile Justice Oversight: Jerry Henry, Doug Gatewood and Jim Ward.

Joint Committee on Economic Development: Valdenia Winn, Jerry Williams and Vince Wetta.

Joint Committee on Health Policy Oversight: Bill Feuerborn and Louis Ruiz.

Joint Committee on Information Technology: Nile Dillmore and Harold Lane.

Joint Committee on Kansas Security: Judy Loganbill and Julie Menghini.

Legislative Post Audit: Tom Burroughs and Tom Sawyer.

Joint Committee on Pensions, Investments & Benefits: Geraldine Flaharty, Vaughn Flora and Margaret Long.

Joint Committee on Special Claims Against the State: Bob Grant, Broderick Henderson and Mike Peterson.

Joint Committee on State Building Construction: Bill Feuerborn and Bob Grant.

Joint Committee on State-Tribal Relations: Steve Lukert and Stan Frownfelter.

Kan-Ed Oversight: Sydney Carlin and Ed Trimmer.

Thank you for your consideration. If you have any questions, please feel free to contact me.

Sincerely,
Rep. Dennis McKinney
116th District, Greensburg

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Wednesday, January 17, 2007.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

