

# Journal of the House

SIXTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 30, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.  
The roll was called with 125 members present.

Prayer by guest chaplain, the Rev. Joshua Gooding, pastor, Eskridge Yoked Parish, Eskridge, and guest of Rep. Burgess:

Gracious God, you have created us in your image and called us to love both you and our neighbor. But too often, we love only ourselves and find ourselves divided as we act only in our own interests. As we gather together today, help us to remember what is truly good. Guide us so that we might act justly and with mercy, thinking especially of those who are among the least in the eyes of our society. For it is when we humbly care for others that we walk most closely with you. Amen.

The Pledge of Allegiance was led by Rep. Faust-Goudeau.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2279**, An act concerning persons required to register pursuant to the Kansas offender registration act; amending K.S.A. 2006 Supp. 22-4902 and repealing the existing section, by Representative Morrison, Judy.

**HB 2280**, An act concerning cities; relating to the financing of certain public improvements; amending K.S.A. 12-6a19 and repealing the existing section, by Committee on Elections and Governmental Organization.

**HB 2281**, An act concerning elections; relating to advance voting ballots; amending K.S.A. 2006 Supp. 25-1124 and 25-1128 and repealing the existing sections, by Committee on Elections and Governmental Organization.

**HB 2282**, An act concerning employment; ensuring that employees of government contractors are paid a living wage; amending K.S.A. 75-37,103 and K.S.A. 2006 Supp. 75-3739 and repealing the existing section, by Representative Swenson.

**HB 2283**, An act concerning security interest; relating to certificates of title; amending K.S.A. 58-4204 and K.S.A. 2006 Supp. 8-135 and 84-9-311 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 8-135e, by Committee on Judiciary.

**HB 2284**, An act concerning probate; relating to the execution and attestation of wills; amending K.S.A. 59-606 and repealing the existing section, by Committee on Judiciary.

**HB 2285**, An act concerning the revised Kansas code for care of children; relating to jurisdiction; amending K.S.A. 2006 Supp. 38-2203 and repealing the existing section, by Committee on Judiciary.

**HB 2286**, An act concerning crimes, criminal procedure and punishment; prohibiting unlawful advertising of proprietary material, by Committee on Judiciary.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Commerce and Labor: **HB 2268**.  
 Economic Development and Tourism: **HB 2270, HB 2274**.  
 Education: **HB 2275, HB 2276**.  
 Elections and Governmental Organization: **HB 2267**.  
 Energy and Utilities: **HB 2278**.  
 Health and Human Services: **HB 2266, HB 2271**.  
 Insurance and Financial Institutions: **HB 2272, HB 2273, HB 2277**.  
 Judiciary: **HB 2269**.  
 Taxation: **HCR 5009**.

#### CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2134** from Committee on Appropriations and referral to Committee on Health and Human Services.

#### COMMUNICATIONS FROM STATE OFFICERS

January 30, 2007

Ms. Janet Jones  
 Chief Clerk of the House  
 Statehouse, Room 477-W  
 Topeka, Kansas 66612

Dear Janet:

In accordance with K.S.A. 25-1451, I have established a Select Committee on Contested Elections to determine the availability of viewing the evidence on Case No. 06cv09461, Election of Kriegshauser v. Rardin and have appointed the following Representatives to serve on it.

O'Neal, Chairperson; Hayzlett, Vickrey  
 Sawyer, Vice-Chair; Peterson, Ward

Most sincerely,  
 Melvin Neufeld  
 Speaker of the House

#### COMMUNICATIONS FROM STATE OFFICERS

From Marilyn Scafe, Chair, Kansas Parole Board, in accordance with K.S.A. 22-3710, Kansas Parole Board Annual Report, Fiscal Year 2006.

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

#### CONSENT CALENDAR

No objection was made to **HB 2046, HB 2109, HB 2128** appearing on the Consent Calendar for the second day.

On motion of Rep. Merrick, the House resolved into Committee of the Whole, with Rep. Huebert in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Huebert, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2048** be passed.

Committee report to **HB 2062** be adopted; also, on motion of Rep. Goico be amended on page 2, in line 12, before "engaging" by inserting "from"; and the bill be passed as amended.

Committee report to **HB 2080** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Elections and Governmental Organization** recommends **SB 36** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2010** be amended on page 5, in line 23, by striking "individual";

On page 7, by striking all in line 16; in line 17, by striking "(9)" and inserting "(8)"; in line 18, by striking "and"; preceding line 19, by inserting:

"(9) an adult who exhibited special care and concern for the decedent and who was familiar with the decedent's personal values; and";

On page 10, in line 2, by striking all after "section"; in line 3, by striking all before the period;

On page 11, in line 30, by striking "10" and inserting "5"; in line 40, after "or" by inserting "in good faith"; also in line 40, by striking "in"; in line 41, by striking "good faith"; and the bill be passed as amended.

Committee on **Rules and Journal** recommends **HCR 5003** be amended on page 8, in line 3, after "except" by inserting "conference committee reports,;" and the concurrent resolution be adopted as amended.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2152** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Veterans, Military and Homeland Security** recommends **HB 2067** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2067," as follows:

"Substitute for HOUSE BILL No. 2067

By Committee on Veterans, Military and Homeland Security

"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.;" and the substitute bill be passed.

(**Sub. HB 2067** was thereupon introduced and read by title.)

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 and concurrent resolution were thereupon introduced and read by title:

**HB 2287**, An act concerning sales taxation; relating to refunds of tax paid upon certain sales of motor vehicles, by Committee on Taxation.

**HB 2288**, An act concerning sales taxation; relating to refunds; certain purchases of telecommunications machinery and equipment, by Committee on Taxation.

**HB 2289**, An act concerning sales taxation; relating to elimination thereof on remodeling of buildings and facilities; amending K.S.A. 2006 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

**HB 2290**, An act concerning the highway advertising control act; amending K.S.A. 2006 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections, by Representative Otto.

**HB 2291**, An act concerning income taxation; relating to credits; employers who employ certain members of the Kansas army and air national guard or a Kansas unit of the reserve forces of the United States; establishing the pluripotent non-embryonic adult stem cell research fund and the Kansas umbilical cord bank fund and providing income tax credits for contributions to such funds, by Committee on Federal and State Affairs.

**HB 2292**, An act concerning abortions; relating to performance of abortion on minors; amending K.S.A. 65-6704 and 65-6705 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2293**, An act concerning licensure, examination and registration of certified public accountants; relating to the board of accountancy; amending K.S.A. 1-302b, 1-308, 1-310,

1-311, 1-312, 1-316, 1-318, 1-319, 1-321 and 1-501 and K.S.A. 2006 Supp. 1-304 and repealing the existing sections, by Committee on Commerce and Labor.

**HB 2294**, An act concerning the Kansas propane safety and licensing act; relating to licensure and training; amending K.S.A. 55-1812 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2295**, An act concerning real estate brokers and salespersons; relating to the effect of criminal convictions on the issuance, renewal or revocation of licenses; amending K.S.A. 58-3043 and 58-3050 and K.S.A. 2006 Supp. 58-3039 and 58-3063 and repealing the existing sections, by Committee on Commerce and Labor.

**HB 2296**, An act concerning sales taxation; relating to exemptions; International Association of Lions Clubs; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Representatives Holland, Goyle, Lukert, Ruff and Williams.

**HB 2297**, An act concerning taxation; relating to the homestead property tax refund act; amending K.S.A. 79-4509 and K.S.A. 2006 Supp. 79-4502 and 79-4508 and repealing the existing sections, by Representatives Holland, Brown, Burroughs, Carlin, Crow, Davis, Faust-Goudeau, Frownfelter, Lane, Lukert, Ruff, Ward and Williams.

**HB 2298**, An act relating to property taxation; enacting the senior citizen property tax deferral act, by Representatives Holland, Carlin, Ruff, Ruiz, Ward and Williams.

HOUSE CONCURRENT RESOLUTION No. 5010—

By Representatives Neufeld and McKinney

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from United States Senator Pat Roberts.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives meet in joint session in Representative Hall at 10:00 a.m. on February 5, 2007, for the purpose of hearing a message from United States Senator Pat Roberts.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon Senator Roberts.

**REPORT ON ENGROSSED BILLS**

**HB 2021, HB 2044** reported correctly engrossed January 29, 2007.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Wednesday, January 31, 2007.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

