

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 9, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.
The roll was called with 114 members present.
Rep. Powers was excused on verified illness.
Reps. Hayzlett, Long, O'Neal and Peck were excused on legislative business.
Reps. Colyer, Davis, Henry, Holland, Masterson, and Peterson were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Barb Sundermeyer, pastor, Family Life Church of the Nazarene, Topeka, and guest of Rep. Fund:

Heavenly Father,

Thank you for the privilege to be in Your presence. Thank you for the dedication of these standing here. Father, I lift up to you Rep. Powers and I pray for Your healing touch on his body. This morning I pray Psalm 16:7,8 for each one.

"I will bless the Lord who counsels me; He gives me wisdom in the night. He tells me what to do. I am always thinking of the Lord and because He is so near, I never need to stumble or to fall."

I pray that you will give counsel and bless this day's work by each representative. That they will bathe in prayer their work load - that they may govern today - this great state - through Your wisdom.

Then I pray that You will go with each one at the close of this day, as they return to their homes, their families, their places of worship...to be rested, renewed and restored in You.

I pray this in the name of Jesus the Christ, Amen.

(Scripture from The Living Bible, Tyndale House Publishers)

The Pledge of Allegiance was led by Rep. Merrick.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2487, An act concerning fertilizers; relating to regulation of ammonium nitrate dealers; amending K.S.A. 2006 Supp. 2-1201 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2488, An act concerning state agencies, political and taxing subdivisions; relating to regulations effecting a taking of property; creating a civil cause of action, by Committee on Federal and State Affairs.

HB 2489, An act relating to restrictions on internet access to pornography by minors; relating to public schools and public libraries, by Committee on Federal and State Affairs.

HB 2490, An act concerning crimes and punishment; amending K.S.A. 21-3603 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2491, An act concerning the transfer of certain balances in the motor carrier license fees fund to the state highway fund; amending K.S.A. 66-1,142 and repealing the existing section, by Committee on Appropriations.

HB 2492, An act concerning counties; relating to approval of wind power generation facilities; amending K.S.A. 2006 Supp. 19-101a and repealing the existing section also repealing K.S.A. 2006 Supp. 19-1011 and K.S.A. 2005 Supp. 19-101a, as amended by section 4 of chapter 92 of the 2006 Session Laws of Kansas, by Committee on Energy and Utilities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2486**.

Energy and Utilities: **HB 2479, HB 2480, HB 2484, HB 2485**.

Federal and State Affairs: **HB 2477, HB 2478**.

Health and Human Services: **HB 2481, HB 2482, HB 2483**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 22, SB 104, SB 131, SB 135**.

Also, announcing passage of **SB 21, SB 114, SB 158, SB 160**.

Announcing passage of **HB 2039, HB 2303**.

Announcing adoption of **HCR 5009**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 21, SB 22, SB 104, SB 114, SB 131, SB 135, SB 158, SB 160.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Tafanelli, **HR 6008**, A resolution urging the United States Senate to fulfill the requests of the 2005 BRAC Commission and the United States Military by restoring federal funds for military construction in the Federal Continuing Resolution to the funding levels agreed upon in the FY 2007 Defense Authorization Bill, was adopted.

CONSENT CALENDAR

No objection was made to **HB 2016, HB 2081, HB 2217** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2115, HB 2208, HB 2232, HB 2233** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker Neufeld announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Gatewood, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2190, HB 2230** be passed.

Committee report to **HB 2074** be adopted; and the bill be passed as amended.

Committee report to **HB 2087** be adopted; and the bill be passed as amended.

Committee report to **HB 2116** be adopted; and the bill be passed as amended.

Committee report to **HB 2068** be adopted; and the bill be passed as amended.

Committee report to **HB 2169** be adopted; and the bill be passed as amended.

Committee report to **HB 2240** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2123, HB 2159** be passed.

Committee on **Education** recommends **HB 2185** be amended on page 1, in line 21, by striking "A" and inserting "Except as provided by paragraph (2), a"; in line 25, by striking "60" and inserting "12"; by striking all in lines 27 through 29 and inserting the following:

"(2) For academic years 2007-2008, 2008-2009 and 2009-2010, any person who had been a resident of the state of Kansas for fee purposes and who left the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returned to domiciliary residency in the state of Kansas within 60 months of departure."; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2306** 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 **Energy and Utilities** recommends **HB 2278** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2278," as follows:

"Substitute for HOUSE BILL No. 2278

By Committee on Energy and Utilities

"AN ACT concerning electric and natural gas public utilities; relating to financing of energy conservation equipment."; and the substitute bill be passed.

(**Sub. HB 2278** was thereupon introduced and read by title.)

Committee on **Energy and Utilities** recommends **HB 2305** be amended on page 1, in line 18, before the period by inserting ", natural gas reserve property and natural gas liquids reserve property"; after line 31, by inserting

"(3) "Natural gas liquids reserve" means an underground storage facility for natural gas liquids which has a capacity of at least 10,000,000 barrels of natural gas liquids.

(4) "Natural gas liquids reserve property" means any real or tangible personal property purchased, constructed or installed for incorporation in and use as part of a natural gas liquids reserve. "Natural gas liquids reserve property" does not include crude oil or any other liquid or gas stored in such storage facility.

(5) "Natural gas reserve" means an underground storage facility for natural gas which has a capacity of at least 10,000,000,000 cubic feet of natural gas.

(6) "Natural gas reserve property" means any real or tangible personal property purchased, constructed or installed for incorporation in and use as part of a natural gas reserve. "Natural gas reserve property" does not include crude oil or any other liquid or gas stored in such storage facility.";

Also on page 1, in line 34, after "reserve" by inserting ", natural gas reserve or natural gas liquids reserve"; in line 36, by striking "crude oil"; in line 37, by striking "crude oil"; in line 38, by striking "crude oil";

On page 2, in line 4, after "reserve" by inserting a comma; also in line 4, by striking "has" and inserting "natural gas reserve" and "natural gas liquids reserve" have";

On page 9, in line 26, after "reserve" by inserting a comma; also in line 26, by striking "has" and inserting "natural gas reserve" and "natural gas liquids reserve" have"; in line 42, by striking "or"; in line 43, by striking "liquid" and inserting "liquids"; also in line 43, after "facilities" by inserting "and natural gas liquids reserves";

On page 10, in line 1, after "liquids" by inserting ", or to which natural gas processing facilities and natural gas reserves in this state have access, in the case of a pipeline used primarily to transport natural gas"; in line 4, after "reserves" by inserting ", natural gas reserves and natural gas liquids reserves"; in line 10, by striking "and its storage" and inserting ", natural gas and natural gas liquids and the storage thereof";

In the title, on page 1, in line 9, after "oil" by inserting ", natural gas and natural gas liquids"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

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

Request No. 37, by Representative Dahl, congratulating Jim and Gladys Schmidt on their 60th wedding anniversary;

Request No. 38, by Representative Kiegerl, congratulating Brian M. Denning on achieving the rank of Eagle Scout;

Request No. 39, by Representative Kiegerl, congratulating Karla Reed on receiving the Milken Award;

Request No. 40, by Representative Lukert, congratulating Drew Christian Davies on achieving the rank of Eagle Scout;

Request No. 41, by Representative Mast, congratulating Coach Jesse Nelson on attaining over 600 wins;

Request No. 42, by Representative Bowers, congratulating Emmett Rudolph on being named Kansas Girls Golf Coach of the Year;

Request No. 43, by Representative Bowers, congratulating Harold and LaVera Poland on their 60th wedding anniversary;

Request No. 44, by Representative Bowers, congratulating Donald and Ruth Girard on their 50th wedding anniversary;

Request No. 45, by Representative Bowers, congratulating Dean and Marceline McCall on their 50th wedding anniversary;

Request No. 46, by Representative Bowers, congratulating Lawrence Schleuder on six decades of service to north central Kansas;

Request No. 47, by Representative Metsker, congratulating Warren W. Moore on achieving the rank of Eagle Scout;

Request No. 48, by Representative Sharp, congratulating Becky Sullivan on earning the Girl Scout Gold Award;

Request No. 49, by Representative Sharp, congratulating Brigid Halling on earning the Girl Scout Gold Award;

Request No. 50, by Representative Sharp, congratulating Brittany Wilderson on earning the Girl Scout Gold Award;

Request No. 51, by Representative Palmer, honoring Andy Reichard, Paige Pemberton, Chris Brown and Kait Wilson on serving as pages;

Request No. 52, by Representative Henry, congratulating George W. And Mary Margaret Intfen on their 60th wedding anniversary;

Request No. 53, by Representative Merrick, commending Jennifer Varriano on achieving the Girl Scout Gold Award;

Request No. 54, by Representative Colyer, congratulating Michael G. Luchen on achieving the rank of Eagle Scout;

Request No. 55, by Representative Carlson, commending Lori Stratton, Mary Lonker and Kelly Nehring on earning National Board Certification;

Request No. 56, by Representative Henderson, congratulating Inaclaire Brown and Samuel M. Young on their 75th birthdays;

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. Merrick, the committee report was adopted.

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 2493, An act concerning public information; establishing training programs under the open records and open meetings acts, by Committee on Elections and Governmental Organization.

HB 2494, An act concerning dates of certain elections; amending K.S.A. 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2102, 25-2107, 25-2108a, 25-2109, 25-2311 and 25-2502 and K.S.A. 2006 Supp. 25-1122 and repealing the existing sections, by Committee on Elections and Governmental Organization.

HB 2495, An act concerning income taxation; relating to corporations; surtax; amending K.S.A. 2006 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

HB 2496, An act concerning taxation; relating to credits; enacting the Kansas investment credit act and the Kansas jobs credit act; relating to qualifications and procedures; eliminating certain existing credits related thereto; amending K.S.A. 40-253a and 74-8945 and K.S.A. 2006 Supp. 79-32,111, 79-32,243 and 79-3606 and repealing the existing sections; also repealing K.S.A. 74-50,113, 74-50,116, 74-50,117, 74-50,118, 74-50,119, 74-50,135, 74-50,135a, 79-32,155, 79-32,156, 79-32,157, 79-32,158, 79-32,159, 79-32,159a, 79-32,159b, 79-32,159c, 79-32,160, 79-32,160b and 79-32,160c and K.S.A. 2006 Supp. 74-50,114, 74-50,115, 74-50,131, 74-50,132, 74-50,133, 74-50,134, 79-3269, 79-32,153, 79-32,154 and 79-32,160a, by Committee on Economic Development and Tourism.

HB 2497, An act concerning the Kansas public employees retirement system; relating to investment standards; prohibited investments; divestment, conditions and procedures, by Committee on Commerce and Labor.

HB 2498, An act concerning the secretary of wildlife and parks; relating to fees for resident and nonresident deer permits; feed the hungry fund; amending K.S.A. 2006 Supp. 32-988 and repealing the existing section, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2033, HB 2107, HB 2127 reported correctly engrossed February 8, 2007.

REPORT ON ENROLLED BILLS

HB 2002, HB 2041 reported correctly enrolled, properly signed and presented to the governor on February 9, 2007.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Monday, February 12, 2007.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

