

# Journal of the House

THIRTY-SIXTH DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 28, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.  
The roll was called with 120 members present.  
Rep. Metsker was excused on verified illness.  
Reps. Svaty and Winn were excused on legislative business.  
Reps. Garcia and McLachlan were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Ralph Stewart of Overland Park, Director, Fellowship of Christian Athletes, South Central Region:

Dear Father: I come to you today, thanking you and praising you for our great nation and our great state.

I give praise and thanks to you for each of these men and women called to serve in this trusted role. Please give them wisdom to make decisions that would strengthen and prosper the state of Kansas. I pray for them to make right decisions, Godly decisions, concerning the social welfare, political and economic concerns of the state.

I pray that you would cause Congress to be more motivated by Your hand than by partisan or personal concerns.

Father, please impassion them for service. Grant them the energy, perseverance, wisdom and patience required each and every day as they faithfully serve.

Lastly, Lord, please protect the wives, husbands, children and loved ones of these you have called to fill a mighty role. They make a great sacrifice to serve this state. May they feel your loving hand upon them each and everyday as they seek to govern wisely and unselfishly.

This prayer lifted in your holy name. And all God's children say...AMEN!

The Pledge of Allegiance was led by Rep. Tietze.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kiegerl are spread upon the journal:

Last year I brought Walt Cochran from Gardner Edgerton High School to this chamber to be honored as teacher of the year. Last week it was another Gardner teacher, Karla Reed, who was recognized for receiving a national award for teaching excellence. Today it is my pleasure and honor to bring to your attention three more Gardner teachers and a principal and eight exceptional students who represent America's best Engineering Design Team. Christina Behney, Hela Kawas, Sally Sisavath, Anita Noyvang, Paul Keithley, Michelle Gardner, Brian Fiblekorn and Tyler Morgan just returned from Washington D.C. where they claimed the National Engineering Design championship with a device they invented to help a disabled worker. NEDC challenges high school students to use their problem solving, engineering and presentation skills to create products which solve specific problems.

With the help of industrial arts teacher, David Kling, Biology teacher, Nicole Burnett, and engineering advisor, Stacy Heine, they entered the competition against 85 other high schools from 27 states and they claimed first prize.

I call on Principal David Webb to accept the certificates of recognition from this House.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2555**, An act concerning alcoholic beverages; amending K.S.A. 41-312 and K.S.A. 2006 Supp. 41-311 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2556**, An act concerning technical education; establishing the postsecondary technical education authority; relating to the powers and duties thereof, by Committee on Federal and State Affairs.

**HB 2557**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; providing a permanent cost-of-living adjustment; employee contributions; amending K.S.A. 74-4919 and repealing the existing section, by Committee on Appropriations.

**HB 2558**, An act concerning retirement and pensions; enacting the Kansas public employees retirement system act of 2009; providing terms, conditions and requirements related thereto for certain new members; benefit enhancements for existing members; amending K.S.A. 74-4911 and 74-4917 and repealing the existing sections, by Committee on Appropriations.

**HB 2559**, An act regulating traffic; concerning micro utility trucks; amending K.S.A. 2006 Supp. 8-126, 8-135, 8-143, 8-1486 and 8-2118 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 8-135e and 8-2118a, by Committee on Appropriations.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Federal and State Affairs: **HB 2554**.

#### CONSENT CALENDAR

No objection was made to **HB 2385** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2385**, An act concerning retirement; relating to the Kansas public employees deferred compensation act; transferring certain powers, duties and functions thereunder to the board of trustees of the Kansas public employees retirement system; administration of deferred compensation plan; abolishing the administrative oversight committee on deferred compensation; amending K.S.A. 74-4909, 75-5528, 75-5529, 75-5529a and 75-5529b and K.S.A. 2006 Supp. 74-4911f, 75-5520a, 75-5521, 75-5523, 75-5524 and 75-5525 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 75-5529c, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, Crum, Dahl, Davis, Dillmore, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLeland, Menghini, Merrick, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Sharp, Shultz, Siegfried, Sloan, Spalding, Storm, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.  
 Present but not voting: None.  
 Absent or not voting: Donohoe, Garcia, McLachlan, Metsker, Svaty, Winn.  
 The bill passed.

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

#### COMMITTEE OF THE WHOLE

On motion of Rep. Gordon, Committee of the Whole report, as follows, was adopted:  
 Recommended that **SB 13** be passed.

Committee report to **HB 2200** be adopted; also, on motion of Rep. Otto be amended on page 2, in line 12, by striking "K-12"; in line 35, by striking all following "same"; by striking all in line 36; in line 37, by striking "level";

On page 3, in line 1, preceding "college" by inserting "school, "; in line 3, by striking "college or university" and inserting "school"; in line 5, by striking "college or university" and inserting "school";

On page 4, in line 3, preceding "college" by inserting "school, "; in line 7, by striking "college or"; in line 8, by striking "university" and inserting "school";

On page 5, in line 7, preceding "college" by inserting "school, "; in line 10, by striking "college or university" and inserting "school"; in line 12, by striking "college or university" and inserting "school";

Also, on motion of Rep. Kinzer to rerefer **HB 2200** to Committee on Federal and State Affairs, the motion did not prevail.

Also, on motion of Rep. Peterson to refer **HB 2200** to Committee on Education, the motion prevailed, and the bill be referred to Committee on Education.

#### COMMITTEE ASSIGNMENT CHANGES

Speaker Neufeld announced the appointment of Rep. Sawyer to replace Rep. Phelps as a member of the Committee on Elections and Governmental Organization.

Also, the appointment of Rep. Frownfelter to replace Rep. Holland as a member of the Committee on Taxation.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, March 1, 2007.

JANET E. JONES, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

