

Journal of the House

FORTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 7, 2007, 11:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.
The roll was called with 122 members present.
Reps. C. Holmes and Judy Morrison were excused on legislative business.
Rep. Wilk was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear God, Your Word tells us that we all have different gifts according to Your graces. Some have the gift of encouragement, some mercy, some compassion, some hospitality, some teaching and some serving. Then there are those of us who have been given the gift of leadership and Your Word admonishes us to "govern diligently." (Romans 12:8) Grant us wisdom today to manage and administer the affairs of this state attentively, carefully and conscientiously. In the name of Your Son, I pray, Amen.

The Pledge of Allegiance was led by Rep. Swanson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2566**.

Elections and Governmental Organization: **HB 2567**.

Federal and State Affairs: **HB 2565**.

COMMUNICATIONS FROM STATE OFFICERS

From Matthew Veatch, State Archivist, Secretary, State Records Board, in accordance with K.S.A. 75-3502, State Records Board Annual Report for 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 2504; SB 190** appearing on the Consent Calendar for the first day.

No objection was made to **SB 62, SB 63, SB 108; SCR 1604** appearing on the Consent Calendar for the third day. The bills and resolution were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 62, An act restricting the prescribing, ordering, dispensing, administering, selling, supplying or giving certain amphetamine or sympathomimetic amine controlled substances; amending K.S.A. 65-2837a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colyer, C. Holmes, Kelsey, Judy Morrison, Wilk.

The bill passed.

SB 63, An act concerning filling prescriptions; amending K.S.A. 2006 Supp. 65-1637 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colyer, C. Holmes, Kelsey, Judy Morrison, Wilk.

The bill passed.

SB 108, An act designating a portion of United States highway 73 as the Deputy Todd Widman memorial highway last call 3-1-2000, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, 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, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colyer, C. Holmes, Judy Morrison, Wilk.

The bill passed.

SCR 1604, A concurrent resolution urging the United States Congress to allow interstate marketing of state inspected meat, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, 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, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colyer, C. Holmes, Judy Morrison, Wilk.

The resolution was adopted.

SB 72, An act concerning mortuary arts; relating to funeral directors and licenses; amending K.S.A. 65-1713 and K.S.A. 2006 Supp. 65-1751 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Brown, Hodge, Kinzer.

Present but not voting: None.

Absent or not voting: Colyer, C. Holmes, Judy Morrison, Wilk.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Masterson, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2475**; **SB 191** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 249** be passed.

Committee on **Insurance and Financial Institutions** recommends **SB 102**, **SB 111** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **SB 85**, **SB 118**, **SB 269** be passed.

Committee on **Judiciary** recommends **SB 58**, **SB 76** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **SB 240** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

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 2568, An act concerning gambling; relating to destination casinos; amending K.S.A. 2006 Supp. 12-4516, 12-4516a, 19-101a, 21-4619, 79-2959, 79-4805 and 79-4806 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 19-1011, 21-4619c and K.S.A. 2005 Supp. 19-101a as amended by section 4 of chapter 192 of the 2006 Session Laws of Kansas, by Committee on Federal and State Affairs.

HB 2569, An act concerning gambling; relating to destination casinos; amending K.S.A. 2006 Supp. 12-4516, 12-4516a, 19-101a, 21-4619, 79-2959, 79-4805 and 79-4806 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 19-1011, 21-4619c and K.S.A. 2005 Supp. 19-101a as amended by section 4 of chapter 192 of the 2006 Session Laws of Kansas are hereby repealed, by Committee on Federal and State Affairs.

HB 2570, An act concerning adoptions; relating to persons authorized to make assessments; amending K.S.A. 2006 Supp. 59-2132 and repealing the existing section, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2071** from Committee on Federal and State Affairs and rereferral to Committee on Transportation.

Also, the withdrawal of **HB 2097** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2564** from Committee on Federal and State Affairs and referral to Committee on Economic Development and Tourism.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, March 8, 2007.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

