

# Journal of the House

FORTY-THIRD DAY

---

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

The House met pursuant to adjournment with Speaker Neufeld in the chair.  
The roll was called with 116 members present.  
Reps. Kiegerl and Powers were excused on verified illness.  
Reps. C. Holmes and Merrick were excused on legislative business.  
Reps. Colyer, Kelley, O'Neal, Shultz and Wilk were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father, in the words of President Lincoln, "Neither let us be slandered from our duty by false accusations against us, nor frightened from it . . . *(but)* Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it."

God, help us today as we fulfill the duty for which we have been elected to do. We have been asked to work together to bring good for everyone. And, although we may all have different opinions about what is good and right for all, help us not to shrink from our responsibility and duty to keep working at it with a cooperative spirit.

Today we welcome and celebrate new Kansas Citizens: Meredith Burgess, Amelie Michelle King and Jack Friend. Bless and protect them and help their parents as they love, nurture and raise these precious souls. In Christ's name I pray, Amen.

*(Quote from the February 27, 1860 Cooper Union Address)*

The Pledge of Allegiance was led by Rep. Roth.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2572**.

Appropriations: **SB 355**.

Commerce and Labor: **SB 333**.

Economic Development and Tourism: **S. Sub. for Sub. SB 316**.

Elections and Governmental Organization: **HB 2573; SB 136; Sub. SB 194; SB 321**.

Federal and State Affairs: **HCR 5021**.

Transportation: **HB 2571**.

## MESSAGE FROM THE GOVERNOR

March 1, 2007

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

Enclosed herewith is Executive Order No. 2007-03 for your information.

EXECUTIVE ORDER No. 2007-03

Concerning Temporary Suspension of Statutory Requirements

Pertaining to Disaster Vehicles

KATHLEEN SEBELIUS  
Governor

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

**MESSAGE FROM THE GOVERNOR**

March 7, 2007

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

Enclosed herewith is Executive Order No. 2007-04 for your information.

EXECUTIVE ORDER No. 2007-04

Concerning Drought Warnings and Watches

KATHLEEN SEBELIUS  
Governor

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

**COMMUNICATIONS FROM STATE OFFICERS**

From George Fahnestock, Commission Chair, Kansas Technical College and Vocational School Commission, Final Report to the 2007 Kansas Legislature.

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

**MESSAGE FROM THE SENATE**

The President announced the appointment of Senator Hensley as a member of the conference committee on **SB 83** to replace Senator Barone.

**CONSENT CALENDAR**

No objection was made to **SB 19, SB 220, SB 288** appearing on the Consent Calendar for the first day.

No objection was made to **SB 58, SB 76, SB 102** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2504** 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**

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

On motion of Rep. Vickrey, the House resolved into Committee of the Whole, with Rep. Peck in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Peck, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 85, SB 269** be passed.

**SB 249** be passed over and retain a place on the calendar.

On motion of Rep. Pauls, **SB 118** be amended on page 4, in line 43, by striking "all";

On page 5, in line 1, by striking "parties" and inserting "any party or interested party"; in line 2, by striking "a" and inserting "any party or interested"; in line 8, by striking "the parties" and inserting "any party or interested party"; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Agriculture and Natural Resources Budget** recommends **SB 157** 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 **Education** recommends **SB 95** be passed.

#### **REPORT OF STANDING COMMITTEE**

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

**Request No. 127**, by Representative Peck, congratulating Keith and Barbara Rogers on their 50th wedding anniversary;

**Request No. 128**, by Representative Bowers, congratulating Becky Zabel on being named to the 2006-2007 All Kansas Academic Team;

**Request No. 129**, by Representative Bowers, congratulating Jan Detrixhe on receiving the Boy Scout District Award of Merit;

**Request No. 130**, by Representative Bowers, congratulating Judy Lambert on her service as County Register of Deeds;

**Request No. 131**, by Representative Bowers, congratulating Ron Mason on his retirement from the City of Lincoln after 40 years of service;

**Request No. 132**, by Representative Bowers, congratulating Bob Ward on his retirement from KPL/Westar Energy with 43 years of service;

**Request No. 133**, by Representative Bowers, congratulating the Clifton-Clyde Eagle Forensics Team in recognition of winning First Place Honors;

**Request No. 134**, by Representative Bowers, congratulating Clifton-Clyde High School on winning Second Place at the Scholar's Bowl;

**Request No. 135**, by Representative Bowers, congratulating Lincoln Elementary School for receiving the Governor's Achievement Award;

**Request No. 136**, by Representative Bowers, congratulating Colin Briggs on receiving the Ottawa County 2006 Conservation Essay Award;

**Request No. 137**, by Representative Metsker, congratulating Brittany Cuthbertson and Emily Leakey for being named to the 2006 Washburn University President's Honor Roll;

**Request No. 138**, by Representative Phelps, commending Sgt. Major Mark L. Massaglia on his 34 years of service in the United States Army;

**Request No. 139**, by Representatives Burroughs and Frownfelter, congratulating Paul Hansen on winning the 5A Wrestling Championship;

**Request No. 140**, by Representatives Neighbor and Sharp, congratulating Daniel Beattie on placing first in diving at state;

**Request No. 141**, by Representative Vickrey, congratulating Louisburg Middle School for earning first division ratings at Prairie View Music Festival;

**Request No. 142**, by Representative Metsker, commending the Student Scholars of the Academy;

**Request No. 143**, by Representative Mast, commending Denton Chapman on setting a good example;

**Request No. 144**, by Representative Faust-Goudeau, in memory of Ruth Luzzati;

**Request No. 145**, by Representative Spalding, congratulating Sharlee-Anna Smith on being a finalist in the Prudential Spirit of Community Awards program;

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. Vickrey, the committee report was adopted.

#### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6013—

By Representatives Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, 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, 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, McLachlan, McLeland, Menghini, Merrick, Metsker, 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley and Yoder

A RESOLUTION congratulating and commending E. Carolyn Rampey.

WHEREAS, E. Carolyn Rampey retired on December 29, 2006, after serving the Kansas Legislature over 34 years in the Kansas Legislative Research Department; and

WHEREAS, E. Carolyn Rampey commenced working for the Legislative Research Department in October 1972 as a Research Assistant, and because of her outstanding analytical and research skills was promoted to Research Analyst in 1974, and Principal Analyst in 1976; and

WHEREAS, E. Carolyn Rampey was hired by James W. Drury, Director of the Legislative Research Department, and continued to serve under the directorships of Phil E. Jones, Richard W. Ryan, Ben F. Barrett, and Alan D. Conroy, providing valuable counsel to these directors and to her many colleagues; and

WHEREAS, E. Carolyn Rampey was known throughout the Legislature for her years of commitment to public education and post-secondary education; and in these areas she worked with a wide variety of issues including school governance, school finance, community colleges, area vocational schools, student tuition, student financial assistance, teacher preparation, teacher certification, qualified admissions, local school consolidation, and gifted student programs; and became a key staff resource for the Legislature in the area of education; and

WHEREAS, E. Carolyn Rampey in her work on educational issues before the Legislature had the opportunity to work with the Office of Revisor of Statutes in providing valuable background information for the drafting of legislation related to education in Kansas; and while assisting the Office of Revisor of Statutes with education and budget issues, she worked closely with the Revisor staff, including Avis A. Swartzman, Fred J. Carman, Norman J. Furse, James A. "Bunky" Wilson III, and Theresa M. Kiernan; and

WHEREAS, E. Carolyn Rampey also served the Legislature as a fiscal analyst since the 1985 Session of the Legislature, gained expertise in fiscal affairs of state government, and was responsible for fiscal analysis for many state agencies, including the Department of Education, the Judicial Branch, Judicial Council, Board of Indigents Defense Services, Office of Attorney General, State Historical Society, Kansas Corporation Commission, Citizen Utility Ratepayer Board, School for the Deaf, School for the Blind, and numerous fee funded boards; and through her service to legislative committees she collaborated with various Commissioners of Education, Deputy Commissioner of Education Dale Dennis, Chief Justice Kay McFarland, members and staff of the Kansas Board of Regents, and multiple Kansas Attorneys General; and

WHEREAS, E. Carolyn Rampey was the lead staff member for the Legislative Educational Planning Committee, also known as the 1202 Commission; and while staffing the Commission she served as Acting Director of the Commission and was responsible for writing and submitting federal grant applications, making regular reports to the U.S. Department of Health, Education and Welfare, and compiling for the Commission special reports such as the Washburn University Feasibility Study and the Nursing Education Report; and

WHEREAS, E. Carolyn Rampey was the consummate professional; her analytical skills were matched only by her quick wit and skilled diplomacy, and she was masterful at anticipating issues and being able to explain complex public policy issues in easily understandable language; and

WHEREAS, E. Carolyn Rampey was instrumental in compiling more than a dozen studies on changing the governance structure of the State Board of Education, none of which were enacted by the Legislature and approved by the voters of Kansas; and

WHEREAS, E. Carolyn Rampey has, as a testament to her fiscal skills, the increase in State General Fund support for public education in Kansas including a boost of more than 350 percent in state support of local school districts from \$621.2 million in FY 1986 to \$2.8 billion in FY 2007; and

WHEREAS, E. Carolyn Rampey earned a Bachelor's degree in Political Science in 1967 and a Master's degree in Political Science in 1970, both from Wichita State University, Wichita, Kansas; and authored her master's thesis entitled *Correlates of Judicial Alienation*; and while at Wichita State University worked closely with faculty members Dr. John H. Millett, Dr. James W. McKinney, and Dr. Marvin A. Harder; and

WHEREAS, E. Carolyn Rampey in 1971 and 1972 was a Research Assistant for Dr. Marvin A. Harder and co-authored a book with him on the Kansas Legislature: *The Kansas Legislature: Procedures, Personalities, and Problems*, which is still considered one of the definitive works on the Kansas Legislature; and

WHEREAS, E. Carolyn Rampey has served the Legislative Branch with distinction and now is embarking on a new chapter in her life: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate, commend, and thank E. Carolyn Rampey for her 34 years of devoted service to the state of Kansas and for the legacy of professional excellence she leaves after her many years as a Principal Analyst of the Kansas Legislative Research Department; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to E. Carolyn Rampey, 36 SW Pepper Tree Lane, Topeka, Kansas 66611; Jim Rampey, 2545 Borton Lane, Santa Barbara, California 93109; Margaret Rampey, 534 Lake Forest, Bonner Springs, Kansas 66012; Mildred Maupin, 2910 Euclid, Wichita, Kansas 67217; Martha Biggs, 202 Osage Road, Derby, Kansas 67037; and Ruth Dobbs, 1803 Old Mill Court, Greenville, North Carolina 27858.

#### **REPORT ON ENGROSSED RESOLUTIONS**

**HCR 5003** reported correctly re-engrossed March 8, 2007.

#### **REPORT ON ENROLLED BILLS**

**HB 2013, HB 2168, HB 2181, HB 2182** reported correctly enrolled, properly signed and presented to the governor on March 9, 2007.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6012** reported correctly enrolled and properly signed on March 9, 2007.

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

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

