

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 26, 2007, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair.
The roll was called with 124 members present.
Rep. Garcia was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Roger L. Freed, Senior Pastor, Olathe Wesleyan Church, and guest of Rep. Olson:

Heavenly Father,

At the outset of this day of opportunity we pause to thank you for the privilege given to this body of legislators to serve the great people of Kansas. Remind us of your greatness and the wonderful privilege we have to serve as caretakers of this land for you.

Lord, of all of the blessings you have given us our most precious resource is the people of Kansas. This day they are toiling in the field, working in the factories, hospitals and offices, teaching our children and raising their families. I pray that the members of this body may never forget that they are the servants of your people.

Father I thank you for each and every member of this house. Give them wisdom, stamina and compassion I pray. May the deliberations that take place here bring protection and encouragement for the people of Kansas. Your word reminds us that whatever we do to the least among us we do for you. Remind us, we pray, of our responsibility toward the poor, the ignorant, the unborn and the infirmed. Amen.

In a special ceremony, the colors were posted by members of the Shawnee Mission North High School NJROTC, followed by the pledge of allegiance led by Rep. Metsker.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committee as indicated:

Committee of the Whole: **HB 2597, HB 2598.**

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Neufeld, **HR 6023**, A resolution congratulating and commending Robert D. Hayes upon his retirement after 35 years of public service, was adopted.

Rep. Neufeld addressed a few remarks to the members of the House and presented Mr. Hayes with a House certificate. Mr. Hayes was accompanied to the House by his wife, Kay.

INTRODUCTION OF GUESTS

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

Today is a great day for me because I have the distinct pleasure to introduce to you some students from my alma mater, Shawnee Mission North High School. My wife and I live less than a mile from the building. In addition, I would like to invite Reps. Neighbor, Storm,

Huntington and Judy Morrison to join me in honoring our guests today since these Shawnee Mission North students collectively may live in all of our House Districts.

In just a few weeks, all across Kansas, our Kansas high schools will graduate thousands of senior students from the Class of 2007. These students are our future. I love young people. I'm passionate about them . . .

Researchers and authors Neil Howe and William Strauss recently wrote a book titled "Millennials Rising: The Next Great Generation."

Here's what they say, and I quote, "As a group, millennials are unlike any other youth generation in living memory. They are more numerous, more affluent, better educated, and more ethnically diverse. More important, they are beginning to manifest a wide array of positive social habits that older Americans no longer associate with youth, including a new focus on teamwork, achievement, modesty, and good conduct. Only a few years from now, this can-do youth revolution will overwhelm the cynics and pessimists. Over the next decade, the Millennial Generation will entirely recast the image of youth from downbeat and alienated to upbeat and engaged-with potentially seismic consequences for America."

Today, I'd like to introduce you and ask you to join me in honoring a group of can-do Kansas youth whose teamwork, achievement and good conduct have caused them to be nationally recognized.

These young men and women are from Shawnee Mission North High School and are members of the NJROTC. Their accomplishments this school year are overwhelming. In September, after a grueling competition they were crowned overall Squad Challenge Champions. In December they traveled to Springfield, Missouri for a JROTC Drill Meet. There, against 22 other schools, they were crowned Overall Meet Champions. In February they competed in the NJROTC National Championship Western Regionals in New Mexico — competing against 12 other teams — there they were crowned the Western Regional Champions for the second year in a row and qualified for the National Championship in Pensacola, FL. These students were among 23 schools out of approximately 625 schools who qualified for the National Championship competition. During the two day competition, the Shawnee Mission North students competed in four major areas: Close Order Drill, Athletics, Academics, and Personal Inspection. They just returned last week, and, my friends, standing before you today are the 2007 National Drill Champions! They are: Travis Peckman, Amanda Renyer, Devin Root, Niklas Rueter, Alexander Abramovitz, Justin Manford, Brian Babin, Sarah Bausch, Heath Helmer, Kevin Snyder, Michael Hoffman, Brandon Patrick, and Dylan Warnick.

The entire team of 38 are on the Capitol grounds today. I'd like to make special recognition of Dylan Warnick and Bethany Krzesinski. Both Dylan and Bethany have the distinguished honor of placing 3rd in the nation . . . in the total number of sit-ups in a five minute period!

I believe that these young people represent the next great generation and I'm pleased to honor them today.

In addition, leading this national drill champion Shawnee Mission North NJROTC squad is Chief Warrant Officer Dennis Grayless.

As a special treat today, the team will be performing their nationally award winning drill on the concrete apron at the base of the South steps of the Capitol at 12:30 p.m. Two weeks ago, I witnessed their show as it was presented before their peers in a high school assembly and I can attest, their show is breathtaking.

Please join me in congratulating the National Drill Champion Shawnee Mission North NJROTC.

MESSAGE FROM THE SENATE

The Senate adopts conference committee report on **H. Sub. for SB 11.**

The Senate adopts conference committee report on **H. Sub. for SB 31.**

The Senate adopts conference committee report on **SB 52.**

The Senate adopts conference committee report on **SB 324.**

The Senate adopts conference committee report on **HB 2363.**

CONSIDERATION OF VETOED BILLS

On motion of Rep. Ruff, the House proceeded to reconsider **HB 2528**, An act concerning firearms; amending K.S.A. 59-2979 and 59-29b79 and K.S.A. 2006 Supp. 12- 16,124, 75-7c04, 75-7c10, 75-7c11, 75-7c17 and 75-7c25 and repealing the existing sections.

The Governor's objection of **HB 2528** having been read, (see HJ, page 1063) the question being, shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlson, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Feuerborn, Frownfelter, Fund, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henry, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Lane, Light, Long, Lukert, Mah, Mast, Masterson, McKinney, McLachlan, McLeland, Menghini, Merrick, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Pottorff, Powell, Powers, Proehl, Rhoades, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Svaty, Swanson, Swenson, Tafanelli, Tietze, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, Worley, Yoder.

Nays: Carlin, Colloton, Crow, Faust-Goudeau, Flaharty, Flora, Henderson, Hill, Huntington, Kuether, Loganbill, McCray-Miller, Metsker, Neighbor, Owens, Peterson, Phelps, Rardin, Roth, Sharp, Spalding, Storm, Treaster, Trimmer, Winn, K. Wolf.

Present but not voting: None.

Absent or not voting: Garcia.

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, and the bill did pass.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Schwartz, **HR 6024**, A resolution congratulating and commending Jammie Layman for winning the title of Kansas Junior Miss 2007, was adopted.

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

I would like to introduce Jammie Layman, Marysville, Marshall County Junior Miss and who was named the 2007-2008 Kansas Junior Miss. This is the first time Marshall County has had a Kansas Junior Miss winner.

In addition to winning the title, she was winner of the interview category and self-expression category. She received a \$3,000 scholarship for the title, \$300 for the interview award, and \$250 for the self-expression award. She is eligible to receive scholarships from designated colleges if she chooses to attend one of them.

Jammie is the daughter of Joe and Amy Krogman and the granddaughter of Ron and Dee Layman, all of Marysville. She is a senior at Marysville High School.

The question she was asked on stage during the program was "How important are elderly people?"

Jammie will compete in the National Junior Miss Scholarship program, which will be televised nationally in June in Mobile, Alabama. She and the other participants will arrive in Mobile two weeks before the program to participate in rehearsals and various activities. Her all-expense trip is paid by the Kansas program. At Mobile, Jammie will compete for a share of more than \$100,000 in cash scholarships.

Rep. Schwartz presented Jammie with a House certificate.

INTRODUCTION OF GUESTS

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

Scholars have long declared that education should be a lifelong pursuit. To stop learning, they say, is to stop growing.

It is both an honor and a privilege to introduce Nola Ochs, a resident of Hodgman County, Kansas.

Proving that it is never too late to learn . . . on May 12, 2007, 95 year-old Nola Ochs will graduate from Fort Hays State University with a Bachelor of General Studies degree. This will make her the world's oldest college graduate. She will also have the pleasure of graduating with her granddaughter, Alexandra Ochs. Her granddaughter is also her college roommate.

Mrs. Ochs is a bright, articulate, independent and feisty lady. Her story is a true testimony that hard work and dedication pays off having taken college classes for the past 28 years.

It is my honor to present this certificate from the Kansas House of Representatives to you, Mrs. Ochs. I can't wait to present you a certificate for your "PhD."

Mrs. Ochs was accompanied to the House by her three sons.

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

COMMITTEE OF THE WHOLE

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2597**.

Recommended that **HB 2597** be passed.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H. Sub. for Sub. SB 215**.

Committee report recommending a substitute bill to **H. Sub. for Sub. SB 215** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H. Sub. for SB 357** be adopted; also, on motion of Rep. Knox to amend, the motion did not prevail.

Also, on motion of Rep. Powell, **H. Sub. for SB 357** be amended on page 15 of the typed version of the bill, by striking all in lines 9 through 18; in line 25, by adding \$320,000 to the dollar amount and by adjusting the dollar amount in line 25 accordingly;

Also, on motion of Rep. Sloan to amend **H. Sub. for SB 357**, the motion did not prevail. Also, on motion of Rep. Otto to amend, the motion did not prevail.

Also, on motion of Rep. Flaharty, **H. Sub. for SB 357** be amended on page 34 of the typed version of the bill, in line 12, by adding \$29,000 to the dollar amount and by adjusting the dollar amount in line 12 accordingly;

Also, on motion of Rep. Kinzer to amend **H. Sub. for SB 357**, Rep. Davis requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Kinzer challenged the ruling, the question being "Shall the Rules Chair be sustained?"

Roll call was demanded.

On roll call, the vote was: Yeas 62; Nays 62; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Burroughs, Carlin, Colloton, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Gordon, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, Horst, Humerickhouse, Huntington, Johnson, King, Kuether, Lane, Loganbill, Long, Mah, McCray-Miller, McLachlan, Menghini, Moxley, Neighbor, Owens, Phelps, Pottorff, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Sharp, Shultz, Sloan, Spalding, Storm, Svaty, Tietze, Treaster, Trimmer, Ward, Wetta, Whitham, Wilk, Winn, K. Wolf, Worley.

Nays: Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Craft, Crum, Dahl, Donohoe, Faber, Gatewood, George, Goico, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Huebert, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Landwehr, Light, Lukert, Mast, Masterson, McKinney, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Powell, Powers, Rhoades, Schroeder, Schwartz, Siegfried, Swanson, Swenson, Tafanelli, Vickrey, Watkins, Williams, B. Wolf, Yoder.

Present but not voting: None.

Absent or not voting: Garcia.

The Rules Chair was not sustained. The question then reverted back to the motion of Rep. Kinzer to amend **H. Sub. for SB 357** on page 47 of the typed version of the bill, following line 19, by inserting the following material to read as follows:

“Sec. 56. (a) On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 for the department of health and environment — division of health as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, except upon the approval of the director of the budget acting after ascertaining that the department of health and environment has established and implemented procedures requiring each report by a physician pursuant to subsection (b)(4) of K.S.A. 65-6703, and amendments thereto, to specify the diagnosis and either the condition necessitating abortion to preserve the life of the pregnant woman or the substantial and irreversible impairment of a major bodily function of the pregnant woman which continuation of the pregnancy would cause.

(b) On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 for the state board of healing arts as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, except upon the approval of the director of the budget acting after ascertaining that the state board of healing arts has established and implemented procedures requiring each physician performing an abortion for which a referral is required by subsection (a) of K.S.A. 65-6703, and amendments thereto, to submit to the state board of healing arts evidence satisfactory to the board that the referring physician is not legally or financially affiliated with the physician performing the abortion.

(c) On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2008 for the department of social and rehabilitation services as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, except upon the approval of the director of the budget acting after ascertaining that the secretary of social and rehabilitation services has established and implemented procedures requiring any agent or employee of the secretary to report to the appropriate law enforcement agency any act of sexual intercourse or sodomy with a child under 16 years of age which is reported to or becomes known to the agent or employee of the secretary.

(d) The terms used in this proviso shall have the meanings provided in K.S.A. 65- 5701, and amendments thereto.”;

And by renumbering the remaining sections accordingly;

Roll call was demanded.

On roll call, the vote was: Yeas 77; Nays 47; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Craft, Crum, Dahl, Donohoe, Faber, Feuerborn, Fund, Gatewood, George, Goico, Grange, Grant, Hayzlett, Henry, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Landwehr, Light, Long, Lukert, Mast, Masterson, McKinney, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Phelps, Powell, Powers, Rhoades, Ruff, Schroeder,

Schwartz, Shultz, Siegfried, Svaty, Swanson, Swenson, Tafanelli, Vickrey, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, Yoder.

Nays: Ballard, Burroughs, Carlin, Colloton, Crow, Davis, Dillmore, Faust-Goudeau, Flaherty, Flora, Frownfelter, Gordon, Goyle, Hawk, Henderson, Hill, Holland, Humerickhouse, Huntington, Johnson, Kuether, Lane, Loganbill, Mah, McCray-Miller, McLachlan, Menghini, Neighbor, Owens, Peterson, Pottorff, Proehl, Rardin, Roth, Ruiz, Sawyer, Sharp, Sloan, Spalding, Storm, Tietze, Treaster, Trimmer, Ward, Winn, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Garcia.

The motion of Rep. Kinzer prevailed.

Also, on motion of Rep. Ward, **H. Sub. for SB 357** be amended on page 28 of the typed version of the bill, following line 12, by inserting:

“(b) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

School of medicine — Wichita general medical education enhancement

For the fiscal year ending June 30, 2008..... \$6,652,054

Provided, That expenditures from the school of medicine — Wichita general medical education enhancement account shall be made only to fund the University of Kansas school of medicine — Wichita general medical education programs and to fund additional faculty positions for such programs.”;

Also, on motion of Rep. Pottorff, **H. Sub. for SB 357** be amended on page 48 of the typed version of the bill, after line 25, by inserting the following:

“Sec. 61. The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Nelle E. Bunten Trust, Jane Hanisch Trustee
8319 Overbrook St.

Wichita, KS 67206 \$10,975.00

Sec. 62. (a) The director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in section 61, upon vouchers duly executed by the state agency directed to pay the amounts specified in such section to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant listed in section 61, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.”;

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Fund, **H. Sub. for SB 357** be amended on page 47 of the typed version of the bill, following line 19, by inserting the following material to read as follows:

“Sec. 56. On and after the effective date of this act, no expenditures shall be made from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 for the state board of technical professions as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, to conduct any proceedings or enforce any orders relating to services performed by Eldon L. Ray, Mayetta, for the Mayetta Christian Church.”;

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Masterson, **H. Sub. for SB 357** be amended on page 8 of the typed version of the bill, by striking all in lines 2 through 31;

On page 9 of the typed version of the bill, by striking all in lines 1 through 18;

Also, on motion of Rep. Menghini to amend **H. Sub. for SB 357**, the motion did not prevail.

Also, on motion of Rep. Jim Morrison, **H. Sub. for SB 357** be amended on page 3 of the typed version of the bill, after line 30, by inserting the following:

“(d) During the fiscal year ending June 30, 2008, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the

legislature from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the legislature, as authorized by 2007 House Bill No. 2368 or by this or other appropriation act of the 2007 regular session of the legislature, the legislature is hereby authorized to make expenditures from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2008 for the sale of the computer equipment leased from Dell that is scheduled for replacement in the fall of 2007 for the fair market value of such computer equipment as fixed by the director of legislative administrative services after consultation with the legislative chief information technology officer and legislative director for computing: *Provided*, That, in accordance with procedures determined by the director of legislative administrative services, each such item that is not to be returned to Dell shall be offered first and may be sold to the current staff member of the legislature who is assigned to use such computer equipment, and who is hereby authorized to purchase such computer equipment: *Provided, however*, That, if any such staff member declines the offer to purchase the computer equipment assigned to such staff member, then such computer equipment shall be offered and may be sold to other current staff members of the legislature on a drawing basis, and who are hereby authorized to purchase such computer equipment, except that, in the event of such current staff members who would want to purchase additional computer equipment, no more than two additional purchases shall be authorized by the director of legislative administrative services who is authorized to determine the order of priority by a drawing of names which shall be conducted by the director of legislative administrative services: *Provided further*, That the authority to sell and purchase such computer equipment that is granted under this subsection shall not be subject to the provisions of any other law: *And provided further*, That all moneys received from such sales and purchases of such computer equipment shall be deposited in the state treasury and credited to the legislative special revenue fund in order to make a final settlement with Dell regarding the disposition of the computer equipment for which the lease expires in the fall of 2007.”;

Also, on motion of Rep. Knox, **H. Sub. for SB 357** be amended on page 44 of the typed version of the bill, in line 13, by striking all after the colon; by striking all in lines 14 and 15; in line 16, by striking all before “*And*”;

On page 45 of the typed version of the bill, in line 12, by striking all after the colon; by striking all in lines 13 and 14; in line 15, by striking all before “*And*”;

Also, on motion of Rep. Peck to amend **H. Sub. for SB 357**, the motion did not prevail.

Also, on motion of Rep. Whitham, **H. Sub. for SB 357** be amended on page 39 of the typed version of the bill, by striking all in lines 10 and 11; following line 26, by inserting the following material to read as follows:

“(3) On July 1, 2007, the amount of \$40,000,000 authorized by section 162(b) of 2007 House Bill No. 2368 to be transferred by the director of accounts and reports on January 1, 2008, from the state general fund to the statewide maintenance and disaster relief fund of the department of administration is hereby decreased to \$27,400,000.”;

Also on page 39 of the typed version of the bill, in line 32, by subtracting \$12,600,000 from the dollar amount in line 32 and by adjusting the dollar amount in line 32 accordingly;

Also, on motion of Rep. Hawk to amend **H. Sub. for SB 357**, the motion was withdrawn. Also, on further motion of Rep. Hawk to amend, the motion did not prevail.

Also, on motion of Rep. Goico, **H. Sub. for SB 357** be amended on page 48 of the typed version of the bill, following line 6, by inserting the following:

“Sec. 57.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

English as the official language competitive grant program	\$500,000
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(b) As used in this section:

(1) “State board” means the state board of regents.

(2) “Entity” means a political subdivision, community-based agency or organization, migrant worker group, refugee resettlement program, school, church or other not-for-profit organization which provides English language classes, English language training or citizenship classes for non-native speakers.

Provided, That expenditures are authorized for the English as the official language competitive grant program in accordance with this section. Any entity which has established a program which provides English language classes, English language training or citizenship classes for non-native speakers or which desires to establish or expand such a program may submit an application for a competitive grant of moneys in an amount to be determined by the board for the purpose of paying the costs of establishing or expanding such program and any operating expenses related thereto. The application shall be prepared in such form and manner as required by the state board and shall be submitted at a time to be determined and specified by the state board: *Provided further*, That the board shall establish standards and criteria for reviewing, evaluating and approving applications for grants submitted pursuant to this section. All grants shall be awarded by the board in accordance with the standards and criteria established by the board. Within the limitations of appropriations therefor, the state board shall determine the amount and number of grants and shall be responsible for payment of grants. When awarding such grants, the state board shall give first priority to existing programs which have the highest numbers of persons on waiting lists to attend such program. Second priority shall be given to areas of the state where there is the greatest need for such programs: *And provided further*, That any entity which is awarded a grant under this section shall make such periodic and special reports to the state board as it may request.

(c) If the house of representatives shall not concur with the senate amendments to House Bill No. 2140 during the 2007 regular session, then, on July 1, 2007, the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2008, by this section from the state general fund is hereby lapsed.”;

And by renumbering the remaining sections accordingly;

Also, roll call was demanded on further motion of Rep. Goico to amend **H. Sub. for SB 357** on page 27 of the typed version of the bill, following line 26, by inserting the following: “Sec. 23.

STATE BOARD OF REGENTS

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2008, the following:

Military service scholarships..... \$1,000,000

(b) The state board of regents is authorized to expend moneys appropriated by this section for the payment of tuition and fees for persons described in subsection (c) at Kansas educational institutions as defined by K.S.A. 75-4364, and amendments thereto: *Provided*, That the state board of regents is authorized to determine the terms and conditions relating to such educational assistance.

(c) The educational assistance provided by this section shall be for any person: (1) Who graduated from high school in Kansas or who, as a resident of Kansas for at least two years, has received a general educational development (G.E.D.) credential; and (2) who either (A) has served in military service in Iraq or Afghanistan at least 90 days after September 11, 2001, or served less than such 90 days because of injuries received in Iraq or Afghanistan or (B) has served in military service in international waters or on foreign soil in support of military operations in Iraq or Afghanistan for at least 90 days after September 11, 2001, or has served less than such 90 days because of injuries received during such service; and (3) the person has received an honorable discharge from military service or is still in military service; and (4) the person has a DD-214 form or active duty orders that indicate the person has served after September 11, 2001, in one or more of the following military operations: (A) Enduring Freedom; (B) Nobel Eagle; or (C) Iraqi Freedom.”;

And by renumber the remaining sections accordingly;

On roll call, the vote was: Yeas 88; Nays 32; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Beamer, Bowers, Brunk, Burgess, Burroughs, Carlin, Colloton, Colyer, Craft, Crow, Crum, Davis, Dillmore, Donohoe, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Gatewood, Goico, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, Horst, Huebert, Huntington, Johnson, Kelsey, King, Knox, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Metsker, Jim Morrison, Moxley, Myers, Neighbor, Olson, Otto, Owens, Palmer, Pauls, Peck,

Peterson, Phelps, Powers, Proehl, Rardin, Ruff, Ruiz, Sawyer, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Ward, Watkins, Wetta, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Aurand, Bethell, Brown, Carlson, Dahl, Faber, Fund, George, Gordon, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Humerickhouse, Kinzer, Masterson, Merrick, Judy Morrison, Neufeld, O'Neal, Patton, Powell, Rhoades, Roth, Schroeder, Schwartz, Sharp, Shultz, Vickrey, Whitham, Wilk.

Present but not voting: None.

Absent or not voting: Garcia, Kelley, Kiegerl, Landwehr, Pottorff.

The motion of Rep. Goico prevailed.

Also, on motion of Rep. McCray-Miller to amend **H. Sub. for SB 357**, Rep. O'Neal requested a ruling on the amendment being germane to the bill. The amendment was subsequently withdrawn.

Also, on motion of Rep. Owens to amend **H. Sub. for SB 357**, the motion was withdrawn.

Also, on motion of Rep. Ballard, **H. Sub. for SB 357** be amended on page 18 of the typed version of the bill, in line 19 by adding \$3,000,000 and adjusting the amount in line 19 accordingly;

Also, on motion of Rep. Storm, **H. Sub. for SB 357** be amended on page 18 of the typed version of the bill following line 37, by inserting the following:

“Pre-K pilot

For the fiscal year ending June 30, 2008..... \$3,000,000

Provided, That any unencumbered balance in the Pre-K pilot account in excess of \$100 as of June 30, 2008, is hereby reappropriated for fiscal year 2009.”;

On page 38 of the typed version of the bill, following line 10, by inserting the following:

“(d) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year or years specified, the following:

Infants and toddlers program

For the fiscal year ending June 30, 2008..... \$700,000”;

Also, on motion of Rep. Bethell, **H. Sub. for SB 357** be amended on page 38 of the typed version of the bill, after line 10, by inserting the following:

“(d) In addition to the other purposes for which expenditures may be made by the department of health and environment from the aid to local units — primary health projects account of the state general fund for fiscal year 2008 as authorized by section 117(a) of 2007 House Bill No. 2368, or by this or other appropriation bill of the 2007 regular session of the legislature expenditures shall be made by the above agency to expand access to primary health care services, development of new access points through a supplemental grant process and support of a health professional recruitment program for rural and underserved areas: *Provided*, That the awards for dental hubs shall be targeted to maximize or leverage the commitment of the private investment from united methodist health ministry fund and the sunflower foundation, health for Kansans, and other foundations to equip and strengthen the operations of dental hubs: *Provided further*, That funding and administration of awards for dental hubs shall be made collaboratively in a consolidated request for proposals and review process grant as determined by representatives from united methodist health ministry fund, sunflower foundation, the REACH foundation, delta dental foundation, and the Kansas department of health and environment: *And provided further*, That expenditures from the aid to local units — primary health projects account of the state general fund for fiscal year 2008 for such purposes shall not exceed \$500,000.”;

Also, on motion of Rep. Kelsey to amend **H. Sub. for SB 357**, the motion was withdrawn.

Also, roll call was demanded on motion of Rep. McCray-Miller to amend **H. Sub. for SB 357** on page 28 of the typed version of the bill, preceding line 31, by inserting the following material to read as follows:

“For the fiscal year ending June 30, 2009 \$5,220,000

Provided, That the above agency shall make expenditures from the general state aid account during the fiscal year 2009 so that, notwithstanding the provisions of subsection (a) of K.S.A. 2006 Supp. 72-6414, and amendments thereto, to the contrary, the at-risk pupil weighting of each district shall be determined by the state board by multiplying the number of at-risk

pupils included in the enrollment of the district by .465 for school year 2008-2009 and the product shall be the at-risk pupil weighting of the district.”;

On roll call, the vote was: Yeas 57; Nays 64; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Burroughs, Carlin, Colloton, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, Huntington, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, McCray-Miller, McKinney, McLachlan, Menghini, Merrick, Metsker, Neighbor, Owens, Palmer, Pauls, Peterson, Phelps, Pottorff, Rardin, Ruff, Ruiz, Sawyer, Sharp, Spalding, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Williams, Winn.

Nays: Aurand, Beamer, Bethell, Bowers, Brown, Burgess, Carlson, Colyer, Craft, Crum, Dahl, Donohoe, Faber, Fund, George, Goico, Gordon, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Mah, Mast, Masterson, McLeland, Jim Morrison, Judy Morrison, Moxley, Neufeld, O’Neal, Olson, Otto, Patton, Peck, Powell, Powers, Proehl, Rhoades, Roth, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Swanson, Tafanelli, Vickrey, Watkins, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Brunk, Garcia, Landwehr, Myers.

The motion of Rep. McCray-Miller did not prevail.

Also, on motion of Rep. Sawyer, **H. Sub. for SB 357** be amended on page 11 of the typed version of the bill, in line 17, by adding \$1,600,000 to the dollar amount in the line and by adjusting the dollar amount in line 17 accordingly;

On page 48, after line 25, by inserting the following:

“Sec. 61. On July 1, 2007, K.S.A. 2006 Supp. 25-4501, as amended by section 204 of 2007 House Bill No. 2368, is hereby amended to read as follows: 25-4501. (a) Subject to the provisions of this section, there shall be held a presidential preference primary election in the year ~~2012~~ 2008, and every fourth year thereafter.

(b) On or before November 1, 2011, and on or before November 1 every fourth year thereafter, the secretary of state shall certify to the governor, to the chief clerk of the house of representatives and to the secretary of the senate a common date in the next succeeding year on which at least five other states will hold a presidential preference primary election, a delegate or mass convention or a caucus of qualified voters at which delegates to a national convention are selected. On or before each such date, if the secretary of state determines that there is no common date on which at least five states are conducting such a selection process in the next succeeding year, the secretary of state shall certify to the governor, the chief clerk of the house of representatives and the secretary of the senate on a date, which shall be on or before the first Tuesday in April of the next following year, on which the presidential preference primary election shall be held.

(c) The date certified by the secretary of state pursuant to subsection (b) shall be the date on which the presidential preference primary election authorized by subsection (a) shall be held in the state of Kansas.

(d) *On or before November 1, 2007, the secretary of state shall certify to the governor, to the chief clerk for the house of representatives and to the secretary of the senate that a presidential preference primary election shall be held in this state on February 2, 2008.*

Sec. 62. On July 1, 2007, K.S.A. 2006 Supp. 25-4501, as amended by section 204 of 2007 House Bill No. 2368, is hereby repealed.”;

On page 1 of the typed version of the bill, in the title, in line 5, after “Supp.” by inserting “25-4501, as amended by section 204 of 2007 House Bill No. 2368,”;

Also, on motion of Rep. Neufeld, **H. Sub. for SB 357** be amended on page 47 of the typed version of the bill, following line 19, by inserting the following material to read as follows:

“Sec. 56. (a) On and after the effective date of this act, in addition to the other purposes for which expenditures may be made by the department of administration, the legislative coordinating council and the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or for fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007

House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the department of administration, the legislative coordinating council and the legislature from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2007 or for fiscal year 2008 to provide that, prior to any matter regarding the state house preservation and restoration project which requires approval by or presentation to the capitol restoration commission or the legislative coordinating council being presented to the capitol restoration commission or the legislative coordinating council, such matter shall be presented to the board of directors of the subsidiary corporation formed under K.S.A. 2006 Supp. 76-781, and amendments thereto, for review and recommendation by such board of directors: *Provided*, That the capitol restoration commission and the legislative coordinating council shall receive and consider the recommendations of such board of directors on any such matter prior to acting on any such matter: *Provided further*, That, as used in this subsection, (1) "project" means the statehouse preservation and restoration capital improvement project, and (2) "any matter regarding the state house preservation and restoration project which requires approval by or presentation to the CRC or the LCC," or words to that effect, means and includes any guaranteed maximum price (GMP) amendment, addendum to the contract for architectural services for the project, change order, other contract, contract document or monetary commitment of whatever nature that changes any legislative coordinating council approved phase project scope or are not within the funded budget for the project.;

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Burroughs, **H. Sub. for SB 357** be amended on page 47 of the typed version of the bill, following line 19, by inserting the following material to read as follows:

"Sec. 56.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to enter into a new operating agreement with the university of Kansas hospital authority for the operations of the university of Kansas hospital: *Provided*, That, on and after the effective date of this act, no expenditures shall be made by the university of Kansas medical center from any moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to enter into any affiliation agreement with any other entity unless and until after the date upon which the university of Kansas medical center has entered into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital: *Provided further*, That the university of Kansas medical center shall exercise all due diligence and shall undertake discussions and negotiations with the university of Kansas hospital authority in the most expeditious manner practicable in order to enter into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital: *And provided further*, That the university of Kansas hospital authority shall exercise all due diligence and shall undertake discussions and negotiations with the university of Kansas medical center in the most expeditious manner practicable in order to enter into a new operating agreement with the university of Kansas medical for the operation of the university of Kansas hospital: *And provided further*, That the university of Kansas medical center shall not enter into any affiliation agreement with any entity unless and until the university of Kansas medical center has entered into a new operating agreement with the university of Kansas hospital authority for the operation of the university of Kansas hospital.

(b) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 as authorized by chapter 142 or chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or

by this or other appropriation act of the 2007 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from the moneys appropriated from the state general fund or any special revenue fund for fiscal year 2007 or fiscal year 2008 to provide, as part of the process to attain designation of the KU Cancer Center as a Comprehensive Cancer Center under the Cancer Centers Program of the National Cancer Institute, for the designation of the University of Kansas Hospital as the National Cancer Institute Hospital of the KU Cancer Center and to do things necessary and proper to effectuate and attain the designation of the University of Kansas Hospital as the National Cancer Institute Hospital.”;

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Phelps to amend **H. Sub. for SB 357**, the motion did not prevail.

Also, on motion of Rep. Schwartz, **H. Sub. for SB 357** be amended on page 47 of the typed version of the bill, after line 13, by inserting the following:

“(d) On July 1, 2008, the position limitation established for the fiscal year ending June 30, 2009, by section 88 of 2007 House Bill No. 2368 for the Kansas real estate commission is hereby increased from 14.00 to 15.00.”;

Also, roll call was demanded on further motion of Rep. Schwartz to amend **H. Sub. for SB 357** on page 12 of the typed version of the bill, by striking all in lines 18 and 19; after line 25, by inserting the following:

“MacVicar avenue assessment fund

For the fiscal year ending June 30, 2008..... \$1,285,749”;

On page 14, after line 9, by inserting the following:

“(h) On July 1, 2007, the director of accounts and reports shall transfer \$1,285,749 from the state highway fund of the department of transportation to the MacVicar avenue assessment fund for the purpose of funding road improvement assessments.”;

On roll call, the vote was: Yeas 54; Nays 67; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Beamer, Bethell, Brown, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Faber, Fund, George, Gordon, Grange, Hodge, M. Holmes, Horst, Huntington, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Mah, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, Olson, Otto, Peck, Pottorff, Powell, Powers, Rhoades, Roth, Schroeder, Schwartz, Shultz, Siegfried, Spalding, Swanson, Tafanelli, Vickrey, Watkins, K. Wolf, Yoder.

Nays: Ballard, Bowers, Burgess, Burroughs, Carlin, Crow, Davis, Dillmore, Donohoe, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Gatewood, Goico, Goyle, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, Humerickhouse, Johnson, King, Kuether, Lane, Light, Loganbill, Long, Lukert, McCray-Miller, McKinney, McLachlan, Menghini, Neighbor, O’Neal, Owens, Palmer, Patton, Pauls, Peterson, Phelps, Proehl, Rardin, Ruff, Ruiz, Sawyer, Sharp, Sloan, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Brunk, Garcia, Huebert, Landwehr.

The motion of Rep. Schwartz did not prevail.

Also, on further motion of Rep. Schwartz, **H. Sub. for SB 357** be amended on page 47 of the typed version of the bill, following line 19, by inserting the following material to read as follows:

“Sec. 56.

STATE CONSERVATION COMMISSION

(a) Notwithstanding any provisions of or criteria prescribed in section 152(g) of 2007 House Bill No. 2368 to the contrary, no unused portion of the 20,000 acres that may be enrolled under the conservation reserve enhancement program during fiscal year 2007, as provided in section 152(g)(1) of 2007 House Bill No. 2368, shall be carried forward or otherwise be authorized to be enrolled in the conservation reserve enhancement program during fiscal year 2008 in addition to the limitation of 20,000 acres that may be enrolled under the conservation reserve enhancement program during fiscal year 2008, as provided in section 152(g)(2) of 2007 House Bill No. 2368.”;

And by renumbering the remaining sections accordingly;

Also, roll call was demanded on motion of Rep. Feuerborn to amend **H. Sub. for SB 357** on page 27 of the typed version of the bill, following line 26, by inserting the following material:

“(j) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, for the capital improvement project or projects specified as follows: Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education

For the fiscal year ending June 30, 2008.....	\$50,000,000
For the fiscal year ending June 30, 2009.....	\$25,000,000
For the fiscal year ending June 30, 2010.....	\$25,000,000

Provided, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of the legislative research department: *And provided further*, That the funds in this account shall be distributed to the state institutions based on square footage at each institution.”;

On roll call, the vote was: Yeas 61; Nays 61; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Burroughs, Carlin, Colloton, Craft, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Gatewood, Goyle, Grant, Hawk, Henderson, Hill, Holland, Humerickhouse, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, McCray-Miller, McKinney, McLachlan, Menghini, Moxley, Neighbor, Neufeld, Owens, Palmer, Pauls, Peterson, Phelps, Pottorff, Powers, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Sharp, Sloan, Spalding, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Williams, Wimm.

Nays: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Crum, Dahl, Donohoe, Faber, Fund, George, Gordon, Grange, Hayzlett, Henry, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Mah, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Myers, O’Neal, Olson, Otto, Patton, Peck, Powell, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Swanson, Tafanelli, Vickrey, Watkins, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Garcia, Goico, Landwehr.

The motion of Rep. Feuerborn did not prevail.

Also, roll call was demanded on motion of Rep. Colyer to amend **H. Sub. for SB 357** on page 47 of the typed version of the bill, by striking all in lines 20 through 31;

On page 48 of the typed version of the bill, by striking all in lines 1 through 6 and inserting the following:

“Sec. 56. On July 1, 2007, K.S.A. 2006 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation

spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to ~~7 1/2%~~ 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2007~~ 2008, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2006~~ 2007 regular session of the legislature.

(d) *On and after the effective date of this act, notwithstanding any provision of K.S.A. 75-6704, and amendments thereto, to the contrary, if the amount of the unencumbered ending balance in the state general fund for the fiscal year ending June 30, 2008, or any fiscal year thereafter, is less than the amount equal to 4% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, as jointly estimated by the director of the budget and the director of legislative research, then the director of the budget shall certify to the governor the difference between (1) the amount equal to 4% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, and (2) the amount of such unencumbered ending balance in the state general fund, after adjusting the estimates of the amounts of such demand transfers with regard to new estimates of revenues to the state general fund, where appropriate. The amount certified to the governor by the director of the budget pursuant to this subsection shall be deemed to be an amount certified to the governor under subsection (a) of K.S.A. 75-6704, and amendments thereto, and shall be utilized and acted upon for all purposes under the provisions of K.S.A. 75-6704, and amendments thereto, to determine an amount certified to the governor and to issue an executive order reducing, by applying a percentage reduction determined by the governor in accordance with such certification which shall be administered and applied in all other respects as provided in and subject to the limitations and requirements of K.S.A. 75-6704, and amendments thereto.*

On roll call, the vote was: Yeas 55; Nays 66; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Beamer, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Craft, Crum, Dahl, Donohoe, Faber, Fund, George, Gordon, Grange, Hayzlett, Hodge, M. Holmes, Huebert, Humerickhouse, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Myers, Neufeld, O'Neal, Olson, Otto, Patton, Peck, Powell, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Tafanelli, Vickrey, Watkins, Whitham, B. Wolf, K. Wolf, Yoder.

Nays: Ballard, Burroughs, Carlin, Colloton, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huntington, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Moxley, Neighbor, Owens, Palmer, Pauls, Peterson, Phelps, Pottorff, Powers, Proehl, Rardin, Roth, Ruff, Ruiz, Sawyer, Sharp, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tietze, Treasurer, Trimmer, Ward, Wetta, Wilk, Williams, Winn, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Garcia, Goico, Landwehr.

The motion of Rep. Colyer did not prevail.

Also, on motion of Rep. K. Wolf, **H. Sub. for SB 357** be amended on page 11 of the typed version of the bill, following line 17, by inserting the following material to read as follows:

“(b) In addition to the other purposes for which expenditures may be made by the secretary of state from the state general fund for fiscal year 2007 and fiscal year 2008, as authorized by chapter 142 of chapter 216 of the 2006 Session Laws of Kansas, by 2007 House Bill No. 2368, or by this or other appropriation act of the 2007 regular session of

the legislature, expenditures may be made by the secretary of state for fiscal year 2007 and fiscal year 2008 from the state general fund to prepare and submit a report on total costs incurred and estimated increase in revenues resulting from holding the presidential preference primary election including the cost of an economic study necessary to prepare such report on or before the first day of the 2009 regular session of the legislature.”; and **H. Sub. for SB 357** be passed as amended.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2542**, as amended by **S. Sub. for HB 2542**.

The Senate adopts conference committee report on **S. Sub. for Sub. HB 2457**.

Also, announcing passage of **HB 2144**.

The Senate adopts conference committee report on **S. Sub. for HB 2145**.

The Senate adopts conference committee report on **S. Sub. for HB 2556**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Schwartz, the House nonconcurrred in Senate amendments to **S. Sub. for HB 2542** and asked for a conference.

Speaker pro tem Dahl thereupon appointed Reps. Schwartz, Tafanelli and Feuerborn as conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2062, **HB 2185**, **HB 2267**, **HB 2393** reported correctly re-engrossed April 26, 2007.

REPORT ON ENROLLED RESOLUTIONS

HR 6023 reported correctly enrolled and properly signed on April 26, 2007.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 1064, under Veto Message from the Governor, the title of **HB 2368** should read as follows:

HB 2368, An act making and concerning appropriations for the fiscal years ending June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 79-4801 and K.S.A. 2006 Supp. 2-223, 25-4501, 55-193, 72-6433, 79-2959, 79-2964, 79-3425c, 79-3425i and 82a-953a and repealing the existing sections.

On motion of Rep. Merrick, the House adjourned until 10:00 a.m., Friday, April 27, 2007.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

