

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 2, 2007—9:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty senators present.
Senators Allen, Barnett, Betts, Bruce, Brungardt, Donovan, Gilstrap, Pine, Teichman and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I have told a lot of people that if you don't have a sense of humor, I'm in big trouble. So here I try again.

I've heard a lot of questions
As Chaplain twenty-six years
As you know very well, Lord,
Few Bible questions do I hear.

Probably the most common is
"Does it take a lot of time
To come up with the prayers
That always seem to rhyme?"

"An hour or two I always say"
And some kind folks may say,
"I always read your prayers;
I read them every day."

My response is usually,
"If you really want something read,
The Senate Journal's front page
Is where it should be spread."

Another observation was
"In spite of all your prayers
The Senators are no better
Since you've been Chaplain there."

And You gave me an answer, Lord,
Which helped me avoid the blame,
I simply say, "You should have
Seen them before I came,"

Again trusting in Your sense of humor, Lord, I pray,

AMEN

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committees as indicated:

Assessment and Taxation: **SB 370**.

REFERRAL OF APPOINTMENTS

The following appointments made by the Governor and submitted to the senate for confirmation, were referred to Committees as indicated:

Department of Commerce, Secretary,

David D. Kerr, effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

(Commerce)

Public Employee Relations Board, Member, Sally O'Grady, effective upon the date of confirmation by the Senate, to serve a term of 4 years.

(Ways and Means)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Steineger, Barone, Betts, Francisco, Gilstrap, Goodwin, Haley, Hensley, Kelly and Lee introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1830—

A RESOLUTION congratulating and commending the Coalition of Hispanic Organizations as the 2007 Hispanic Day on the Hill honoree.

WHEREAS, Each year, in conjunction with the Hispanic Day on the Hill, the Kansas Hispanic and Latino American Affairs Commission recognizes an Hispanic or Latino group or individual that has contributed significantly to the Hispanic community. In recognition of the solid and united voice it provides within the Latino community in Kansas City, the Coalition of Hispanic Organizations (COHO) has been selected as the 2007 Hispanic Day on the Hill honoree; and

WHEREAS, COHO was inaugurated in 1990 and consists of more than thirty programs, agencies and organizations focused on assisting communication and strengthening localized efforts to improve the quality of life for the Latino community in the Kansas City metropolitan area; and

WHEREAS, COHO's numerous members work through committees that are dedicated to advocating for local Hispanic civil rights issues, as well as providing support and resources for recreation, health and social services, and education: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate, commend, and join the Kansas Hispanic and Latino American Affairs Commission in proudly recognizing the Coalition of Hispanic Organizations (COHO) during the 2007 Hispanic Day on the Hill; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to Elias L. Garcia, Executive Director, Kansas Hispanic and Latino American Affairs Commission, 900 SW Jackson Street, Topeka, KS 66612.

On emergency motion of Senator Steineger **SR 1830** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Utilities** recommends **HB 2036**, as amended by House Committee of the Whole, be amended on page 1, in line 21, by striking "thermal" and inserting "energy"; in line 27, by striking "thermal" and inserting "energy"; in line 33, preceding "prior" by inserting "at any time upon request or"; in line 36, by striking "thermal" and inserting "energy"; also in line 36, following "structure" by inserting ". For new residential structures that are completed and suitable for occupancy, but unsold, the completed disclosure form shall be made available to the buyer or a prospective buyer by the builder or seller when the residence is shown and at any other time upon request. The disclosure shall be made";

On page 4, by striking all in lines 1 through 40 and inserting the following:

KANSAS ENERGY EFFICIENCY DISCLOSURE

As required by KSA 66-1228

Kansas law requires the person building or selling a previously unoccupied new residential

structure which is a single family or multifamily unit of four units or less shall disclose to the buyer or a prospective buyer, at any time upon request or prior to closing if changes have occurred or are requested, information regarding the energy efficiency of the structure. For new residential structures that are completed and suitable for occupancy, but unsold, the completed disclosure form shall be made available to the buyer or a prospective buyer by the builder or seller when the residence is shown and at any other time upon request.

Common Address or Legal Description of Residence: _____

Part 1: Builder *must* describe the following energy efficiency elements of this house:

	Actual Value	2006 IRC/IECC° Zone 4	2006 IRC/IECC° Zone 5
Wall Insulation R-Value	_____	R-13	R-19 or 13 + 5
Attic Insulation R-Value	_____	R-38	R-38
Foundation Insulation R-Value			
Basement Walls	_____	R-10/13	R-10/13
Crawlspace Walls	_____	R-10/13	R-10/13
Slab-on-Grade	_____	R-10, 2 ft	R-10, 2 ft
Floors over Unheated Spaces R-Value	_____	R-19	R-30
Window U-Value	_____	0.40	0.35
	Actual Value	Current Federal Manufacturing Standards**	
Water Heater			
Gas or Propane (Energy Factor)	_____	$0.67 - (0.00019 \times \text{_____}^{***}) = \text{_____}$	
Electric (Energy Factor)	_____	$0.97 - (0.00019 \times \text{_____}^{***}) = \text{_____}$	
Heating and Cooling Equipment			
Warm-Air Furnace (AFUE)	_____	0.78	
Air Conditioner (SEER)	_____	13	
Air-Source Heat Pump-Cooling (SEER)	_____	13	
Air-Source Heat Pump (HSPF)	_____	7.7	

[Note: Federal standards for geothermal heat pumps are not available in 2006.]

Part 2: Builder *may* provide the following additional information about this house:

- _____ This residence has been/will be built to meet the energy-efficiency standards of the International Energy Conservation Code of 2006 (IECC 2006).
- _____ This residence is an Energy Star Qualified Home and has been verified and field tested in accordance with RESNET standards by a RESNET-accredited provider.
- _____ This residence has received a Home Energy Rating (HERS) index score of 100 or less based on an energy audit performed in accordance with the Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) by a rater certified by Residential Energy Services Network (RESNET).

Seller Signature: _____ Date: _____
 Seller Name and Address: _____
 Buyer Signature: _____ Date: _____

Buyer Signature: _____ Date: _____

- ° See reverse for more information on existing standards and explanation of abbreviations.
- °° Equipment meeting federal standards may not always be available.
- °°° Insert rated storage volume in gallons.

On page 5, by striking all in lines 11 through 14 and inserting “**Energy Factor:** performance indicator of water heater’s overall energy efficiency based on the amount of hot water produced per unit of fuel consumed.”;

In the title, in line 13, by striking “thermal” and inserting “energy”; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Monday, March 5, 2007.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

