

# Journal of the House

## NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 25, 2008, 10:00 a.m.

The House met pursuant to adjournment with Speaker Neufeld in the chair.  
The roll was called with 108 members present.  
Reps. M. Holmes, Johnson and Judy Morrison were excused on verified illness.  
Reps. Grange and Watkins were excused on legislative business.  
Reps. Bethell, Colyer, Kiegerl, Masterson, O'Neal, Patton, Peterson, Powers, Roth, Ruiz, Worley and Yoder were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God:

From naming a state fish to health care for all — from fiscal responsibility to quality education — from freedoms and rights for the masses to conservation of energy and stewardship of the environment . . . we have a myriad of topics and issues to discuss and resolve. As Paul prayed for the leaders of Ephesus, I pray for these leaders - “. . . I keep asking that the God of *my* Lord Jesus Christ, the glorious Father, may give them the Spirit of wisdom and revelation . . . I pray also that the eyes of their hearts may be enlightened in order that they may know the hope to which you have called them . . .” (Ephesians 1:17-18) In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Dillmore.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions introduced and read by title:

**HB 2678**, An act concerning credit unions; relating to limitations on credit union personnel; amending K.S.A. 17-2242 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2679**, An act concerning motorboats; relating to exhaust noise requirements; amending K.S.A. 2007 Supp. 32-1120 and 32-1180 and repealing the existing sections, by Representatives Mah, Hawk, Kuether, McLeland, Palmer and Treaster.

**HB 2680**, An act enacting the immigration accountability act; relating to employment; duties of the department of revenue; amending K.S.A. 2007 Supp. 79-3234, 79-32,120 and 79-32,138 and repealing the existing sections, by Representatives Mah, Davis, Dillmore, Holland, Lukert, Pauls, Ruff, Trimmer, Ward and Williams.

**HB 2681**, An act repealing K.S.A. 48-1604; concerning studies of law and regulations to promote nuclear industrial development, by Committee on Energy and Utilities.

HOUSE RESOLUTION No. 6006—

By Representative Kuether

A RESOLUTION encouraging participation in the American Heart Association's Go Red for Women campaign.

WHEREAS, Friday, February 1, has been designated “National Wear Red Day for Women” by the American Heart Association, and this event is part of the Go Red for Women

campaign, the American Heart Association's national call to increase awareness about heart disease-the leading cause of death for women-and that this movement celebrates the energy, passion and power women have to take charge of their heart health in order to live stronger, longer lives; and

WHEREAS, The color red and the red dress symbol have become linked with the ability all women have to improve their heart health, the American Heart Association is encouraging everyone to wear red on February 1 in support of all women who have experienced heart disease or stroke; and

WHEREAS, Diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death. Additionally, more women die of cardiovascular disease than the next five leading causes of death combined, including all cancers. This campaign will raise women's awareness of this program because only 21% of women consider cardiovascular disease their greatest health risk. This lack of urgency about heart health contributes to the death of over 460,000 American females (about one death per minute) per year. In Kansas, over 11 females a day died from heart disease and stroke; and

WHEREAS, Many of the risk factors that can lead to heart disease, such as high blood pressure, high blood cholesterol and diabetes, can be prevented or controlled. Research has shown that men and women who lead healthy lifestyles, including making healthy food choices, getting regular exercise, maintaining a healthy weight and choosing not to smoke, can significantly decrease their risk of heart disease; and

WHEREAS, February is designated as American Heart Month, and women who contact the American Heart Association will be provided with information to learn their own personal risk for heart disease, using tools as the American Heart Association's Go Red For Women Heart CheckUp and by talking to their healthcare provider and obtaining information regarding free lifestyle programs to improve their health: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we support the efforts of the American Heart Association in reducing women's heart health problems and urge individual participation in the American Heart Association's Go Red for Women campaign; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provides an enrolled copy of this resolution to Linda J. De Coursey, American Heart Association, 5375 SW 7th Street, Topeka, KS 66606.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HB 2664.**

Appropriations: **HB 2671, HB 2673.**

Elections and Governmental Organization: **HB 2669, HB 2670.**

Health and Human Services: **HB 2666, HB 2672.**

Insurance and Financial Institutions: **HB 2668, HB 2675, HB 2676, HB 2677.**

Judiciary: **HB 2674.**

Transportation: **HB 2665, HB 2667.**

#### COMMUNICATIONS FROM STATE OFFICERS

From Robin J. Kempf, Inspector General, Kansas Health Policy Authority, pursuant to K.S.A. 75-7427, annual report of the Office of the Inspector General.

From Gene Argo, Co-Chair, Kansas Inc., 2007 Annual Report.

From Bradley S. Williams, M.S., Kan-Ed Executive Director, Kan-Ed 2007 Annual Report.

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

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

The chair announced that no final action would be taken today.

**REPORT OF STANDING COMMITTEE**

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

**Request No. 1**, by Representative Grange, congratulating Butler Community College Football Team on winning the NJCAA National Football Championship;

**Request No. 2**, by Representative Proehl, congratulating Clarence and Helen Graybill on their 70th wedding anniversary;

**Request No. 3**, by Representative Pottorff, congratulating Hebrew Congregation - Ahavath Achim on their 100th anniversary;

**Request No. 4**, by Representative Schroeder, congratulating Gail M. Stucky and Larry Williams on being appointed to the State Banking Board;

**Request No. 5**, by Representative Schroeder, congratulating Matthew David Birney on attaining the rank of Eagle Scout;

**Request No. 6**, by Representative McKinney, commending Melissa Lucht and Ed Stauth on their service to the city of Greensburg;

**Request No. 7**, by Representative Henry, congratulating John Thomas Helmick on attaining the rank of Eagle Scout;

**Request No. 8**, by Representative Bowers, congratulating Isaac Rothfuss on being named Concordia High School Student of the Month;

**Request No. 9**, by Representative Pottorff, congratulating Lusco Brick Company on 100 years of business in Wichita;

**Request No. 110**, by the Education Committee, congratulating Mrs. Jeri Powers on being named 2008 Kansas Teacher of the Year;

**Request No. 11**, by the Education Committee, congratulating the 2008 Kansas Teacher of the Year Team;

**Request No. 12**, by Representative Jim Morrison, congratulating Shelby Gardner on winning the Northwest Kansas Regional "If I Were Mayor" essay contest;

**Request No. 13**, by Representative George, congratulating Nicole Brauer on winning the Statewide and Southwest Regional "If I Were Mayor" essay contest;

**Request No. 14**, by Representative Grange, congratulating Trea Kuhns on attaining the rank of Eagle Scout;

**Request No. 15**, by Representative Johnson, congratulating David Crawford on winning the North Central Regional "If I Were Mayor" essay contest;

**Request No. 16**, by Representative Jim Morrison, congratulating Aaron Deeds on attaining the rank of Eagle Scout;

**Request No. 17**, by Representative Vickrey, congratulating Vern and Verbal Isenhower on their 79th wedding anniversary;

**Request No. 18**, by Representative Vickrey, congratulating Gene and Billie Trageser on their 65th wedding anniversary;

**Request No. 19**, by Representative Goico, congratulating Anna Scheuffele, Bri Fenn, Claire Suellentrop, and Adam Strunk on being awarded a Kansas University Freshman Achievement Scholarship;

**Request No. 20**, by Representative Goico, congratulating Stephanie Taylor on being awarded a Kansas University Endowment Meritorious Scholarship;

**Request No. 21**, by Representative Quigley, congratulating Alexander James Severance on attaining the rank of Eagle Scout;

**Request No. 22**, by Representative Crum, congratulating Brad Stevens on winning the regional "If I Were Mayor" essay contest;

**Request No. 23**, by Representative Crum, congratulating A. W. and Helen McVay on their 65th wedding anniversary;

**Request No. 24**, by Representative Bowers, congratulating Don and Darlene Lewis on their 55th wedding anniversary;

**Request No. 25**, by Representative Bowers, congratulating Paul Rimovsky on receiving the Concordia 2007 Lifetime Business Award;

**Request No. 26**, by Representative Bowers, congratulating Armand Balthazar on receiving the 2007 Kaleidoscope Award;

**Request No. 27**, by Representative Pottorff, congratulating Utility Contractors, Inc., on being named a VPP Star Worksite;

**Request No. 28**, by Representative King, congratulating the 2007 Independence High School soccer team on winning the Kansas 4A State Championship;

**Request No. 29**, by Representative King, congratulating the 2007 Independence High School boys' tennis team on winning the Kansas 4A State Championship;

**Request No. 30**, by Representative King, congratulating the 2007 Independence High School girls' tennis team on winning the Kansas 4A State Championship;

**Request No. 31**, by Representative Kiegerl, congratulating Stephanie Shephard on winning the American Star Teacher Award;

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. Merrick, the committee report was adopted.

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 and concurrent resolutions introduced and read by title:

**HB 2682**, An act concerning net metering; amending K.S.A. 2007 Supp. 66-1,184 and repealing the existing section, by Committee on Energy and Utilities.

**HB 2683**, An act concerning elections; pertaining to vacancy in the office of United States representative; amending K.S.A. 25-3501 and repealing the existing section, by Committee on Elections and Governmental Organization.

**HB 2684**, An act concerning crimes, criminal procedure and punishment; relating to criminal desecration; amending K.S.A. 21-4111 and 21-4704 and repealing the existing sections; also repealing K.S.A. 21-4704b, by Representative Tafanelli.

**HB 2685**, An act concerning geriatric medicine; relating to approved postgraduate residency training program for the university of Kansas school of medicine and the doctor of osteopathy medical student loan programs; amending K.S.A. 2007 Supp. 74-3266 and 76-381 and repealing the existing sections, by Committee on Appropriations.

**HB 2686**, An act concerning insurance; requiring market conduct studies for certain insurance companies; amending K.S.A. 2007 Supp. 40-222 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2687**, An act concerning group life insurance; removing mandatory participation requirements; amending K.S.A. 2007 Supp. 40-433 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2688**, An act concerning insurance; relating to the property and casualty actuarial opinion letter law, by Committee on Insurance and Financial Institutions.

**HB 2689**, An act concerning insurance; pertaining to risk-based capital requirements; amending K.S.A. 2007 Supp. 40-2c01 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2690**, An act concerning insurance; relating to the accrual of dividends and interest during deferment periods in certain insurance policies; amending K.S.A. 40-428 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2691**, An act relating to motor vehicles; providing for the issuance of gold star family license plates; amending K.S.A. 2007 Supp. 8-1,141 and repealing the existing section, by Representatives Watkins, Colloton, Owens and K. Wolf and Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlin, Carlson, Colyer, Craft, Crow, Crum, Dahl, Donohoe, Faber, Faust-Goudeau, Fund, George, Goico, Gordon, Goyle, Grange, Hawk, Hayzlett, Hill, Hodge, Holland, M. Holmes, Huebert, Humerickhouse, Huntington, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Mah, Mast, Master-son, McKinney, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Patton, Peck, Phelps, Pottorff, Powell, Proehl, Quigley, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Spal-

ding, Swanson, Swenson, Tafanelli, Tietze, Vickrey, Ward, Whitham, Wilk, B. Wolf and Yoder.

HOUSE CONCURRENT RESOLUTION No. 5029—

By Committee on Energy and Utilities

A CONCURRENT RESOLUTION urging Congress and the President of the United States to develop a program of capturing and storing carbon and other greenhouse gases.

WHEREAS, Kansans are concerned about global air pollution and are taking steps to reduce contribution to such pollution; and

WHEREAS, Energy and health care costs may significantly increase because of growth in carbon dioxide emissions from all sources; and

WHEREAS, No state's actions can singularly nor significantly address the risk to global air quality, energy costs and health care costs: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the President of the United States and Congress are strongly urged to engage in meaningful discourse based on sound science to develop a program of capturing and storing or sequestering carbon and other greenhouse gases, particulates and heavy metals that cannot be productively used in other manufacturing processes; and

*Be it further resolved:* That the President and Congress are urged to engage other nations in identifying cost-effective steps to reduce emissions on a global basis; and

*Be it further resolved:* That the secretary of state is directed to send enrolled copies of this resolution to the President of the United States, the Secretary of the United States Department of Energy and each member of the Kansas Congressional Delegation.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., January 28, 2008.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

