

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 7, 2008, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair. The roll was called with 117 members present. Reps. Crow, Johnson, Metsker, Owens, and K. Wolf were excused on verified illness. Reps. Hodge, Kiegerl, and Ruff were excused on excused absence by the Speaker.

Prayer by Rep. Phelps:

Almighty God, as legislators it is easy for us to think that we can control every problem that Kansans face. Sometimes it takes seven inches of snow to remind us that we are not in control, and during session seven inches of snow is the perfect event to slow us down and cool our spirits. Help us to remember those that don't have the benefit of a warm home when it is cold outside. Help us to extend our aid to those of us that struggle to find the money for heat in the winter. Lord, please be with Greg Ruff as he is recovering from a fall because of the weather and let us continue to keep Representatives Crow and Johnson in our thoughts as they continue their recovery. In your most holy and precious name we pray, Amen.

The Pledge of Allegiance was led by Rep. Yoder.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2783, An act relating to insurance; concerning voluntary noncontractual mutual aid arrangements; amending K.S.A. 40-202 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2784, An act concerning sales taxation; relating to exemptions; Kansas state firefighters association; amending K.S.A. 2007 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2785, An act concerning appropriations from the state general fund; prohibiting expenditures for certain scientific research, by Representative Kinzer.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2777**.

Commerce and Labor: **HB 2771, 2772**.

Education: **HB 2776, HB 2778**.

Federal and State Affairs: **HB 2774, HB 2775, HB 2779**.

Health and Human Services: **HB 2781**.

Insurance and Financial Institutions: **HB 2782**.

Judiciary: **HB 2780**.

Social Services Budget: **HB 2773**.

CHANGE OF REFERENCE

Speaker pro tem Dahl announced the withdrawal of **HB 2715** from Committee on Insurance and Financial Institutions and referral to Committee on Judiciary.

COMMUNICATIONS FROM STATE OFFICERS

From Kansas, Inc., Strategic Analysis of Economic Development Expenditures by Kansas State Government and Five Surrounding State Governments: FY 2989-FY 2007, November 2007.

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

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

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted: Recommended that **SB 157** and **HB 2637** be passed.
Committee report to **SB 49** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2643**, **HB 2656**, **HB 2700** 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 **Appropriations** recommends **HCR 5030** be adopted.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

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

HB 2786, An act relating to antique vehicles; concerning certain license plates; amending K.S.A. 2007 Supp. 8-172 and repealing the existing section, by Committee on Appropriations.

HB 2787, An act concerning tax increment financing; regarding bond revenue sources; amending K.S.A. 2007 Supp. 12-1774, 79-3620 and 79-3620b and repealing the existing sections, by Committee on Economic Development and Tourism.

HB 2788, An act concerning tax increment financing; regarding the definition of redevelopment project costs; amending K.S.A. 2007 Supp. 12-1770a and repealing the existing section, by Committee on Economic Development and Tourism.

HB 2789, An act concerning Kansas, inc.; exempting from monumental building surcharge, by Agriculture and Natural Resources Budget Committee.

HB 2790, An act concerning school districts; relating to special education and the distribution of moneys therefor; amending K.S.A. 2007 Supp. 72-978 and repealing the existing section, by Committee on Education.

HB 2791, An act concerning planning and zoning; relating to military representation on planning commissions; amending K.S.A. 12-742, 12-743, 12-744, 12-747, 12-749, 12-756, 12-757 and 19-2957 and K.S.A. 2007 Supp. 19-2958 and repealing the existing sections, by Representative Sloan.

HB 2792, An act concerning electric public utilities; amending K.S.A. 66-128g and 66-1223 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2793, An act concerning criminal procedure; relating to law enforcement policies, by Committee on Judiciary.

HB 2794, An act concerning civil procedure; relating to public works sureties; amending K.S.A. 60-1111 and 60-1112 and repealing the existing sections, by Committee on Judiciary.

HB 2795, An act concerning consumer protection; amending K.S.A. 50-623, 50-624, 50-634 and 50-636 and repealing the existing sections, by Committee on Judiciary.

HB 2796, An act concerning sales taxation; relating to exemptions; Douglas county senior services, inc.; amending K.S.A. 2007 Supp. 79-3606 and repealing the existing section, by Representatives Holland, Davis and Sloan.

CHANGE OF REFERENCE

Speaker pro tem Dahl announced the withdrawal of **HB 2625** from Committee on Agriculture and Natural Resources Budget and referral to Committee on Agriculture and Natural Resources.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution introduced and read by title:

HOUSE RESOLUTION No. 6010—

By Representative Holland

A RESOLUTION congratulating and commending Heather Garcia on her outstanding athletic and academic achievements.

WHEREAS, On October 27, 2007 Baldwin High School senior Heather Garcia won the class 4A cross country meet in Wamego, with a time of 14 minutes and 41.55 seconds, finishing more than 13 seconds ahead of the second place finisher; and

WHEREAS, On December 2, 2006, Heather Garcia won the Amateur Athletic Union Cross Country Championship 5 kilometer race for 17- and 18-year-old girls in Orlando, Florida, with a time of 17 minutes and 54 seconds, finishing 22 seconds ahead of the second place finisher, thus adding a National Title to her list of accolades; and

WHEREAS, Along with being a two-time 4A cross country state champion, Heather Garcia also won four regional cross country titles, three Frontier League cross country titles and won a total of 25 out of 36 cross country events; and

WHEREAS, Heather Garcia also excels in track, where at the 2007 state track meet she won the 3,200 meter event, breaking the Baldwin High School record previously set by her with a time of 10 minutes and 49.4 seconds and went on to win the 1,600 meter event and place second in the 800 meter event; and

WHEREAS, Heather Garcia also excels in basketball, where she averaged 3.71 steals per game and was named honorable mention 2007 Lawrence Journal-World All-Area basketball team, as well as being named to the 2007 and 2008 Wellsville Top Gun All-Tournament Team; and

WHEREAS, Heather Garcia is an honor student at Baldwin High School where she has a cumulative 3.92 grade point average and has accepted a scholarship to run both cross country and track at Boston College: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Heather Garcia for her outstanding athletic and academic achievements at Baldwin High School; and

Be it further resolved: That the Chief Clerk of the House of Representatives is directed to provide 12 enrolled copies of this resolution to Representative Tom Holland.

COMMITTEE ASSIGNMENTS

At the start of the 2007 session, the impression was the Governmental Efficiency and Technology Committee would be a 19 member committee. The size of the Committee was instead set at 17 with 9 Republicans and 6 Democrats. To correct this situation, Rep. Tom Holland is removed from the Committee.

Representative Jim Ward is appointed to the House committee on Interstate Cooperation. Dennis McKinney, Minority Leader

On motion of Rep. Merrick, the House adjourned until 9:00 a.m., Friday, February 8, 2008.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

