

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 13, 2008, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Dahl in the chair. The roll was called with 122 members present. Rep. Crow was excused on verified illness. Reps. King and McLeland were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Harry Disbrow, pastor, Otterbein United Methodist Church, Chanute, and guest of Rep. Feuerborn:

Gracious and awesome God, and Creator of all things.

Thank you for the opportunity to be here this morning. Lord, I lift up every man and woman serving in the House of Representatives and in this gallery to you. Lord, you have blessed them with a great responsibility of being leaders of the state of Kansas.

Lord, I ask that you fill each and every one of them with the knowledge and wisdom needed to complete this journey of service. Bless them also with the skills to guide all the residents of Kansas to a brighter future.

Lord, may all of our faiths come together in love and compassion for the betterment of all Kansans. Serving as one unit, we will continue to strengthen the integrity of being leaders of this great state.

Bless them with the leadership skills that are positive examples of what it takes to be a representative of all the people and for the people.

Bless all our Kansas Representatives to become the hub of leadership, for our nation to build a brighter future for generations to come, as were those before them.

Lord, these men and women have a large responsibility in meeting all the needs of your children. Guide them and direct them on this journey.

As I conclude this prayer, Lord, I ask that you bless everyone here and their families with good health, compassion, joy, faith, hope, and most of all, Your love. In Jesus' name, Amen.

The Pledge of Allegiance was led by Rep. Schroeder.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2852, An act concerning veterans and active duty service personnel; relating to placing a security freeze on consumer reports; amending K.S.A. 2007 Supp. 50-702 and 50-723 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2853, An act concerning gambling; authorizing an election on electronic gaming machines in Sedgwick county, by Committee on Elections and Governmental Organization.

HB 2854, An act concerning certain public officers and employees; relating to use of unexpended campaign funds; amending K.S.A. 25-4142 and 25-4157a and K.S.A. 2007 Supp.

25-4143 and repealing the existing sections, by Committee on Elections and Governmental Organization.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2829, HB 2838.**
 Commerce and Labor: **HB 2837, HB 2847.**
 Economic Development and Tourism: **HB 2843.**
 Education: **HB 2840, HB 2842.**
 Federal and State Affairs: **HB 2835, HB 2836, HB 2839, HB 2851.**
 Health and Human Services: **HB 2846.**
 Judiciary: **HB 2830, HB 2831, HB 2845, HB 2848, HB 2850.**
 Taxation: **HB 2834, HB 2844.**
 Transportation: **HB 2841, HB 2849.**
 Education Budget: **HB 2828.**
 Select Committee on KPERS: **HB 2832, HB 2833.**

CHANGE OF REFERENCE

Speaker pro tem Dahl announced the withdrawal of **HB 2758** from Committee on Education and referral to Committee on Government Efficiency and Technology.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Holland, **HR 6010**, A resolution congratulating and commending Heather Garcia on her outstanding athletic and academic achievements, was adopted.

There being no objection, the following remarks by Rep. Holland are spread upon the journal:

Good morning! Fellow representatives, I am extremely delighted to stand before you today to recognize Miss Heather Garcia, a senior this year at Baldwin High School.

Heather is an exceptional student athlete, having twice won the state 4A cross country championship. In her most recent win on October 27, 2007, Heather won the class 4A Cross Country meet in Wamego in a time of 14:41.55, more than 13 seconds ahead of the second place finisher.

She also has enjoyed impressive victories at the national level. On December 2, 2006, Heather 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 17:54, finishing 22 seconds ahead of the second place runner.

In her cross country high school career, Heather has won four regional cross country titles, three Frontier league cross country titles, and won a total of 25 out of 36 cross country events.

But Heather's athletic abilities extend beyond cross country. At the 2007 state track meet she won the 3200 meter event, breaking the Baldwin High School record previously set by her with a time of 10:49.4. She also went on to win the 1600 meter event and placed second in the 800 meter event. Heather 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.

On top of her amazing athletic accomplishments, Heather also excels in the classroom. She is an honor student at Baldwin High School with a cumulative 3.92 Grade Point Average. Heather has just accepted a scholarship to run both cross country and track at Boston College.

At this time I'd like to introduce Heather's family and friends. Accompanying Heather today are her parents Michael Garcia and Cheryl Chamberlin, brother Kyle Garcia, grandparents Larry and Barbara Lindberg, and friend Kyle Smith.

Please join me in congratulating Heather Garcia for her outstanding athletic and academic achievements at Baldwin High School!

CONSENT CALENDAR

Objection was made to **HB 2701** appearing on the Consent Calendar; the bill placed on the calendar under the heading of General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2643, An act concerning civil procedure; relating to answers of garnishment; amending K.S.A. 60-736 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Quigley, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow, King, McLeland.

The bill passed.

HB 2656, An act relating to cemetery corporations; authorizing certain cemetery corporations to convey real estate not platted into cemetery lots free from trust restrictions, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Quigley, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Crow, King, McLeland.

The bill passed.

HB 2700, An act concerning community corrections; relating to placement of offenders; amending K.S.A. 2007 Supp. 75-5291 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George,

Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Powers, Proehl, Quigley, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Storm, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Watkins.

Present but not voting: None.

Absent or not voting: Crow, King, McLeland.

The bill passed.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Masterson, Committee of the Whole report, as follows, was adopted: Recommended that committee report to **HB 2749** be adopted; and the bill be passed as amended.

Committee report to **HB 2621** be adopted; also, on motion of Rep. Kinzer be amended on page 1, after line 29, by inserting the following:

“(5) “Unaccompanied tour” means a permanent change of station for a service member where dependent travel is not authorized.”;

Also on page 1, in line 32, by striking “or” and inserting a comma; also in line 32, after “duty” by inserting “or unaccompanied tour”; in line 34, by striking “or” and inserting a comma; also in line 34, after “duty” by inserting “or unaccompanied tour”; in line 37, by striking “or” and inserting a comma; in line 38, after “duty” by inserting “or unaccompanied tour”; in line 43, by striking “or” and inserting a comma; also in line 43, after “duty” by inserting “or unaccompanied tour”;

On page 2, in line 4, by striking “or” and inserting a comma; also in line 4, after “duty” by inserting “or unaccompanied tour”; in line 5, by striking “during the parent’s absence”; in line 10, by striking “or” and inserting a comma; also in line 10, after “duty” by inserting “or unaccompanied tour”; in line 15, by striking “or” and inserting a comma; also in line 15, after “duty” by inserting “or unaccompanied tour”; in line 24, by striking “or” and inserting a comma; also in line 24, after “duty” by inserting “or unaccompanied tour”;

On page 10, in line 34, by striking “or” and inserting a comma; also in line 34, after “duty” by inserting “or unaccompanied tour”;

On page 1, in the title, in line 11, by striking “or” and inserting a comma; also in line 11, after “duty” by inserting “or unaccompanied tour”; and the bill be passed as amended.

Committee report to **HB 2617** be adopted; and the bill be passed as amended.

Committee report to **HB 2730** be adopted; also, on motion of Rep. Kelley to amend, Rep. Loganbill requested the question be divided. The question was divided. On part A of the motion of Rep. Kelley, the motion did not prevail.

On Part B of the motion of Rep. Kelley, **HB 2730** be amended on page 5 following line 4 by inserting the following:

“Sec. 5. The secretary of administration shall prepare and submit a detailed report on the implementation and administration of the Kansas taxpayer transparency act to the legislature at the beginning of the regular session in 2015.”;

On motion of Rep. Swenson, **HB 2730** be amended on page 3, in line 2, after “(4)” by inserting the following:

“A counter on the website which will show the number of times the website has been accessed.

(5) The amount of money spent on implementing the provisions of the Kansas taxpayer transparency act shown on an annual basis.

(6)”;

Also, on motion of Rep. Goyle, **HB 2730** be amended on page 3, after line 1, by inserting the following:

“(4) All campaign finance reports and ethics reports required by the governmental ethics commission.”; in line 2, by striking “(4)” and inserting “(5)”;

On motion of Rep. Dillmore to amend **HB 2730**, Rep. Kelley requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Dillmore challenged the ruling, the question being “Shall the Rules Chair be sustained?” Roll call was demanded.

On roll call, the vote was: Yeas 70; Nays 51; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colyer, Crum, Dahl, Donohoe, Faber, Fund, George, Goico, Gordon, Grange, Hayzlett, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Landwehr, Light, Mast, Masterson, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O’Neal, Olson, Otto, Owens, Patton, Peck, Pottorff, Powell, Powers, Proehl, Quigley, Rhoades, Schroeder, Schwartz, Shultz, Siegfried, Spalding, Swanson, Tafanelli, Vickrey, Watkins, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Ballard, Burroughs, Carlin, Colloton, Craft, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Holland, Kuether, Lane, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLachlan, Menghini, Neighbor, Palmer, Pauls, Peterson, Phelps, Rardin, Roth, Ruff, Ruiz, Sawyer, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Williams, Winn.

Present but not voting: None.

Absent or not voting: Crow, King, McLeland, Sloan.

The Rules Chair was sustained, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 359** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 359,” as follows:

“HOUSE Substitute for SENATE BILL No. 359

By Committee on Appropriations

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2009, and June 30, 2010, for the department of transportation; 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.”; and the substitute bill be passed.

(H. Sub. for **SB 359** was thereupon introduced and read by title.)

Committee on **Elections and Governmental Organization** recommends **HB 2331** be amended on page 2, in line 28, by striking “2008” and inserting “2009”;

On page 3, in line 11, by striking “2008” and inserting “2009”; following line 13, by inserting the following:

“(c) Upon request thereof, the county clerk shall provide assistance to any taxing subdivision or municipality in complying with the electronic filing requirements of this section.”;

Also on page 3, in line 14, by striking “2006” and inserting “2007”; in line 21, by striking “2008” and inserting “2009”; in line 37, by striking “2008” and inserting “2009”;

On page 4, following line 6, by inserting the following:

“(d) Upon request thereof, the county clerk shall provide assistance to any taxing subdivision or municipality in complying with the electronic filing requirements of this section.”;

Also on page 4, in line 7, by striking “2006” and inserting “2007”;

In the title, in line 10, by striking “2006” and inserting “2007”; and the bill be passed as amended.

Committee on **Elections and Governmental Organization** recommends **HB 2408** be amended on page 1, in line 13, following “K.S.A.” by inserting “2007 Supp.”; in line 32, by striking “4” and inserting “12”; in line 43, by striking “(c)” and inserting “(d)”;

On page 2, by striking all in lines 28 through 43;

On page 3, by striking lines 1 and 2;

And by renumbering the remaining subsections accordingly;

Also on page 3, preceding line 6, by inserting the following:

“(c) In addition to the requirements of subsection (b), every treasurer for any political committee and party committee shall report the following:

(1) (A) The name and address of each candidate for state or local office for whom an expenditure in the form of an in-kind contribution has been made in an aggregate amount or having a fair market value in excess of \$300, with the amount, date and purpose of each. The report shall show in detail the specific service or product provided; and

(B) the name and address of each candidate for state or local office who is the subject of an expenditure which:

(i) Is made without the cooperation or consent of a candidate or candidate committee;

(ii) expressly advocates the nomination, election or defeat of such candidate; and

(iii) is an aggregate amount or having a fair market value in excess of \$300.

(2) The report shall state the amount, date and purpose of the expenditure in the form of an in-kind contribution. The report shall show in detail the specific service or product provided. The reporting requirements imposed by this subsection shall be in addition to all other requirements required by this section.”;

And by relettering the remaining subsections accordingly;

Also on page 3, in line 41, following “K.S.A.” by inserting “2007 Supp.”;

In the title, in line 10, following “K.S.A.” by inserting “2007 Supp.”; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2681**, **HB 2692** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Energy and Utilities** recommends **SB 327** be amended as recommended by the House Committee on **Energy and Utilities** as reported in the Journal of the House on March 23, 2007, and the bill be further amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 327,” as follows:

“HOUSE Substitute for SENATE BILL No. 327

By Committee on Energy and Utilities

“AN ACT concerning energy; relating to conservation and electric generation, transmission and efficiency and air emissions; amending K.S.A. 65-3008b and 66-104d and K.S.A. 2007 Supp. 65-3005, 65-3008a and 66-1,184 and repealing the existing sections.”; and the substitute bill be passed.

(**H. Sub. for SB 327** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2659**, **HB 2708** be passed.

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 resolution were thereupon introduced and read by title:

HB 2855, An act relating to certain laundries; concerning the cleaning process used thereby, by Representative M. Holmes.

HB 2856, An act relating to merchants; prohibiting transaction charges on credit or debit cards, by Representative Swenson.

HB 2857, An act relating to merchants; providing for access to certain credit and debit card rate information, by Representative Swenson.

HB 2858, An act concerning Fort Hays state university; relating to Fort Hays state university foundation; amending K.S.A. 2007 Supp. 76-156a and 76-756 and repealing the existing sections, by Committee on Appropriations.

HB 2859, An act concerning school districts; relating to school district funds; amending K.S.A. 72-1726, 72-3607, 72-4523, 72-4525, 72-5119, 72-6420, 72-6422, 72-6423, 72-8210, 72-8237 and 72-8238 and K.S.A. 2007 Supp. 72-6414a, 72-6414b, 72-6421, 72-6451, 72-

8248, 72-8249, 72-8250, 72-9509 and 72-9609 and repealing the existing sections, by Representative Kinzer.

HB 2860, An act concerning agricultural chemicals; relating to registration requirements; amending K.S.A. 2007 Supp. 2-2204 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2861, An act concerning license plates for motor vehicles; relating to the regulation of distinctive license plates; purple heart medal recipients; amending K.S.A. 2007 Supp. 8-1,140 and repealing the existing section, by Representatives Tafanelli, Beamer, Bowers, Carlson, Craft, Crum, Dahl, Feuerborn, Frownfelter, Fund, George, Hayzlett, M. Holmes, Huebert, Humerickhouse, Kelsey, Long, Lukert, McKinney, McLachlan, Merrick, Myers, Neufeld, Otto, Owens, Phelps, Powell, Proehl, Rhoades, Ruff, Schwartz, Spalding, Trimmer, Vickrey, Wetta, Whitham, Williams, B. Wolf, K. Wolf and Worley.

HB 2862, An act relating to merchants; prohibiting certain charges by credit or debit card issuers, by Representative Swenson.

HB 2863, An act concerning the minimum wage and maximum hours law; amending K.S.A. 44-1203 and 44-1211 and repealing the existing sections, by Representatives Swenson, Frownfelter and Ruiz.

HB 2864, An act concerning insurance; relating to mandated health benefits; providing coverage for treatment of morbid obesity; amending K.S.A. 2007 Supp. 40-2,103 and 40-19c09 and repealing the existing sections; also repealing K.S.A. 40-2248, 40-2249 and 40-2249a, by Representatives Swenson and Garcia.

HB 2865, An act concerning title insurance; pertaining to unearned premium reserves; amending K.S.A. 40-234c and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2866, An act concerning the department on aging; relating to the senior services fund; creating the health care for seniors fund; disposition of certain additional lottery proceeds; prescribing certain powers, duties and functions for the secretary of aging; amending K.S.A. 2007 Supp. 74-8768 and repealing the existing section, by Representatives Gordon, Bethell, Burroughs, Faust-Goudeau, Henry, Horst, Huntington, Kelsey, Lane, Menghini, Jim Morrison, Palmer, Sloan and Williams.

HB 2867, An act amending the Kansas automobile injury reparations act; concerning failure to maintain financial security; amending K.S.A. 2007 Supp. 8-1021 and 40-3104 and repealing the existing sections, by Representative Pottorff (By request).

HB 2868, An act concerning income taxation; relating to credits; expenditures to make facilities accessible to individuals with a disability; amending K.S.A. 79-32,176, 79-32,177 and 79-32,180 and repealing the existing sections, by Representatives Kiegerl, Bowers, Brown, Donohoe, Hodge, Kelsey, Kinzer,.

HB 2869, An act concerning schools; relating to incentive programs, by Committee on Education.

HB 2870, An act concerning school districts; relating to teachers; amending K.S.A. 2007 Supp. 72-5413 and repealing the existing section, by Representative Aurand.

HB 2871, An act concerning technical schools and colleges; relating to accreditation deadline; amending K.S.A. 2007 Supp. 72-4479 and repealing the existing section, by Representative Horst.

HB 2872, An act concerning the state corporation commission; relating to assessment of expenses; amending K.S.A. 66-1502 and repealing the existing section, by Committee on Energy and Utilities.

HB 2873, An act relating to the department of corrections; concerning appropriations for the fiscal years ending June 30, 2008, June 30, 2009, and June 30, 2010, for the department of corrections; certain capital improvement projects and issuance of bonds therefor, by Representative O'Neal.

HB 2874, An act concerning teachers; relating to licensure thereof, by Representative O'Neal.

HB 2875, An act concerning motor vehicles; relating to registration of custom vehicles and street rods; also repealing K.S.A. 8-194 and 8-195, by Representative Mast.

HB 2876, An act relating to elections; concerning voter registration; amending K.S.A. 25-2311 and K.S.A. 2007 Supp. 25-2316c and repealing the existing sections, by Committee on Elections and Governmental Organization.

HB 2877, An act concerning civil procedure; relating to child custody and residency; amending K.S.A. 2007 Supp. 60-1610 and repealing the existing section, by Representative Owens.

HB 2878, An act concerning corrections; amending K.S.A. 75-52,133 and repealing the existing section, by Select Committee on Corrections Reform and Oversight.

HB 2879, An act concerning crimes, punishment and criminal procedure; relating to driving under the influence; amending K.S.A. 21-4704 and 21-4710 and K.S.A. 2007 Supp. 8-1567 and repealing the existing sections; also repealing K.S.A. 21-4704b and K.S.A. 2007 Supp. 8-1567b, by Select Committee on Corrections Reform and Oversight.

HB 2880, An act amending the fair credit reporting act; relating to placing a security freeze on consumer reports; amending K.S.A. 2007 Supp. 50-702 and 50-723 and repealing the existing sections, by Representatives Rardin and Worley, Burroughs, Colloton, Craft, Feuerborn, Frownfelter, Garcia, Henderson, Henry, Holland, Huntington, Lane, McCray-Miller, McKinney, McLachlan, Peterson, Quigley, Spalding, Storm, Swenson, Tietze, Treasurer, Wetta, Williams, Winn and K. Wolf.

HB 2881, An act concerning solar and wind generated electricity; relating to net metering; amending K.S.A. 2007 Supp. 66-1,184 and repealing the existing section, by Representative Holland.

HB 2882, An act concerning income taxation; relating to credits; certain teachers, by Representatives Holland and Wilk.

HB 2883, An act concerning exemptions; relating to life insurance and earned income credits; amending K.S.A. 40-414 and repealing the existing section, by Committee on Judiciary.

HB 2884, An act concerning the Kansas technology enterprise corporation; establishing the Kansas broadband initiative and the rural broadband grants program; making appropriations for the fiscal year ending June 30, 2009, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. 5032—

By Representatives Tafanelli, Grange, M. Holmes, Mast, Powers, Proehl, Schwartz, Sloan, Swanson and Wilk

A CONCURRENT RESOLUTION urging the United States Congress to amend the Flood Control Act of 1944 and Public Law 83-780, relating to the authorized purposes of federal reservoirs in the state of Kansas, relating to Perry, Tuttle Creek and Milford reservoirs.

WHEREAS, The Corps of Engineers routinely releases water from Perry, Tuttle Creek and Milford reservoirs in Kansas to support navigation flows on the Missouri River; and

WHEREAS, the Flood Control Act of 1944 and Public Law 83-780 were passed more than 50 years ago and do not meet the contemporary needs of water users in many parts of the Missouri River Basin including the State of Kansas; and

WHEREAS, The amount of water released from Perry, Tuttle Creek and Milford reservoirs may amount to as much as one quarter of the conservation storage of these reservoirs; and

WHEREAS, These reservoirs are the primary source of municipal and industrial water supplies for the majority of the State's population; and

WHEREAS, The Legislature recognizes the importance of adequate municipal and industrial water supplies to the welfare of the people of Kansas and the State's economy; and

WHEREAS, Water-based recreation is an important component of the state and regional economy; and

WHEREAS, The release of water from Perry, Tuttle Creek and Milford reservoirs to support navigation flows on the Missouri River places an unacceptable level of risk to existing water supplies and inhibits other uses of these reservoirs; and

WHEREAS, Preventing the release of water from these reservoirs for navigation will benefit the Kansas economy: Now, Therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge the United States Congress to amend the Flood Control Act of 1944 and Public Law 83-780 relating to the authorized purposes for Perry, Tuttle Creek and Milford reservoirs to remove the release of water for navigation flows as an authorized purpose for these reservoirs.

Be it further resolved: That the Secretary of State be directed to send an enrolled copy of this concurrent resolution to the United States Congress; the Kansas Congressional Delegation; Governor Kathleen Sebelius; the Assistant Secretary of the Army for Civil Works; the Secretary of the Interior; and the Directors of the Missouri River Association of States and Tribes.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6012—

By Committee on Federal and State Affairs

A RESOLUTION recognizing the Sumner county commission as the appropriate local governing body to decide the location of a proposed lottery gaming facility.

WHEREAS, The expanded lottery gaming act of 2007 requires that a proposed lottery gaming facility receive a resolution of endorsement from the governing body of the city or county in which such facility desires to be located; and

WHEREAS, The majority of voters of Sumner county approved the location of a lottery gaming facility in that county in a referendum held on December 20, 2005; and

WHEREAS, The majority of voters in Sedgwick county opposed the location of a lottery gaming facility in the county in a referendum held on August 7, 2007; and

WHEREAS, The city of Mulvane violated the legislative intent of the city annexation law by annexing narrow strips of various property owners' land to allow annexation of territory several miles from the city's boundary line: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the House does not recognize the annexation by the City of Mulvane and the subsequent endorsement by the city governing body of a casino gaming facility in newly annexed city territory as a legitimate means of proposing an alternative site for a casino gaming facility; and

Be it further resolved: That we proclaim the board of county commissioners of Sumner county is the appropriate local governing body to endorse the location of a proposed lottery gaming facility in Sumner county.

On motion of Rep. Merrick, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Dahl in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2885, An act concerning school districts; relating to the cost of living weighting; amending K.S.A. 2007 Supp. 72-6449 and repealing the existing section; also repealing K.S.A. 2007 Supp. 72-6450, by Representative Yoder.

HB 2886, An act concerning civil procedure; relating to wrongful death; amending K.S.A. 60-1903 and repealing the existing section, by Representatives Kiegerl and Swenson, Carlin, Davis, Flaharty, McLachlan, Judy Morrison, Powers and Sawyer.

HB 2887, An act creating and implementing the fatherhood initiative program; relating to the duties of the department of social and rehabilitation services, by Representative Faust-Goudeau.

HB 2888, An act relating to the state health care benefits program; concerning public school district participation; amending K.S.A. 2007 Supp. 75-6506 and repealing the existing

section, by Representatives Holland, Davis, Goyle, McLachlan, Menghini, Rardin, Swenson and Tietze.

HB 2889. An act concerning health insurance; pertaining to employer provided cafeteria plans; pertaining to health savings accounts; pertaining to high deductible health insurance plans; pertaining to tax treatment of health insurance premiums; amending K.S.A. 40-2119, 40-2209d, 40-2209h, 40-2209m and 75-6512 and K.S.A. 2007 Supp. 40-2240, 75-6501 and 79-32,117 and repealing the existing sections, by Representatives Holland, Davis, Goyle, McLachlan, Menghini, Rardin, Swenson and Tietze.

HB 2890. An act relating to the department of revenue; concerning the division of vehicles; establishing the division of vehicles modernization fund; amending K.S.A. 2007 Supp. 8-145 and repealing the existing section, by General Government Budget Committee.

HB 2891. An act imposing a limitation on the issuance of certain bonds issued by the Kansas development finance authority; establishing a maximum on state general fund bonded debt; prescribing certain powers, duties and functions with respect thereto, by Representatives Yoder, Colyer, Gatewood, George, Lukert, Masterson, McLachlan, Phelps, Tafanelli, Watkins, Wilk and K. Wolf.

REPORT ON ENROLLED RESOLUTIONS

HR 6010 reported correctly enrolled and properly signed on February 13, 2008.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Thursday, February 14, 2008.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

