

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 15, 2008, 9:00 a.m.

The House met pursuant to recess with Speaker Neufeld in the chair.
The roll was called with 97 members present.
Reps. Crow, Donohoe, Henderson, Huebert and Johnson were excused on verified illness.
Reps. Aurand, Horst, Watkins and Yoder were excused on legislative business.
Reps. Bethell, Brunk, Colyer, Garcia, Hodge, Holland, M. Holmes, Kelley, Kelsey, Kiegerl, King, Masterson, Metsker, Peck, Peterson, Powers, Roth, Ruiz and Sawyer were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Max Clayton, pastor, First United Methodist Church, Topeka, and guest of Rep. Tietze:

Eternal God, whose dealings with us in life exceed our ability to understand but we praise and thank you for your presence. Renew our leaders' vision of You O God in their service to the State of Kansas that we all might encounter You each and every minute of this day.

O God, in the midst of such a thankful spirit we confess that more often than not we fail to sense Your presence, even when You are so close. We pray, not just that we become more aware of Your presence in life, but also that we develop a perception strong enough to be sensitive to Your presence, regardless of the situation.

Enable us to see light even when it is dark, to find the sacred even in the secular and to have hope even in the face of despair. And in these moments we pray our special blessings upon the leaders of our great nation. Again, O God, be with these legislators and may they bring a swift but fruitful end to a busy week.

We pray all of this O God in Your Son's name. Amen

The Pledge of Allegiance was led by Rep. Beamer.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2904, An act relating to child support enforcement; concerning payments under certain insurance policies and workers' compensation; amending K.S.A. 39-759 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2905, An act relating to security; requiring each state agency within the capitol complex to designate a security liaison, by Committee on Veterans, Military and Homeland Security.

HB 2906, An act concerning family and medical leave insurance; establishing task force, by Committee on Health and Human Services.

HB 2907, An act concerning prescription drugs; relating to epilepsy and seizures, by Committee on Health and Human Services.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2897, HB 2898; SB 487.**

Appropriations: **HB 2895.**

Education: **HB 2903.**

Energy and Utilities: **HB 2892, HB 2894.**

Insurance and Financial Institutions: **HB 2900; SB 465, SB 472**

Judiciary: **HB 2901, HB 2902; SB 419, SB 430, SB 431, SB 433, SB 434, SB 435, SB 449, SB 450.**

Taxation: **HB 2896, HB 2899.**

Transportation: **SB 509, SB 521.**

Social Services Budget: **HB 2893.**

CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2811** from Committee on Federal and State Affairs and referral to Committee on Elections and Governmental Organization.

COMMUNICATIONS FROM STATE OFFICERS

From the Kansas Area Agencies on Aging Association, Annual Report 2007.

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

MESSAGE FROM THE SENATE

Announcing passage of **HB 2066**, as amended by **S. Sub. for HB 2066**.

The Senate concurs in House amendments to **SB 65**.

CONSENT CALENDAR

Objection was made to **HB 2771** appearing on the Consent Calendar; the bill was placed on the calendar under the heading of General Orders.

No objection was made to **HB 2689** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2681, HB 2692** appearing on the Consent Calendar for the second day.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. C. Holmes, the House nonconcurrent in Senate amendments to **S. Sub. for HB 2066** and asked for a conference.

Speaker Neufeld thereupon appointed Reps. C. Holmes, Olson and Kuether as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Elections and Governmental Organization** recommends **HB 2628** be amended on page 1, after line 12, by inserting the following:

“Section 1. K.S.A. 80-101 is hereby amended to read as follows: 80-101. Each organized township in this state shall be a body politic and corporate, and in its proper name sue and be sued, and may appoint all necessary agents and attorneys in that behalf, *purchase and hold real and personal property for the use of the township, sell, convey and dispose of real and personal property owned by the township*, and may make all contracts that may be necessary and convenient for the exercise of its corporate powers.”;

And by renumbering the remaining sections accordingly;

Also on page 1, by striking all in lines 32 through 38 and inserting the following:

“(b) No personal property with a value of \$1,000 or more belonging to any township shall be sold or disposed of without approval of the township board. Public notice of the sale or disposition of the personal property containing the time, place and conditions of the sale shall be published at least once in a newspaper of general circulation in the township. The sale shall be by competitive bid and shall be awarded to the highest and best bidder. The

board may reject any or all bids and may resubmit the personal property for new competitive bid procedures.

(c) In lieu of procedures for the sale of personal property established in subsection (b), a township board may adopt a resolution establishing an alternate methodology for disposal of personal property. Such alternate methodology for the disposal of personal property shall contain procedures for:

- (1) Public notice of the sale or disposition;
 - (2) a description of the property to be sold;
 - (3) the method of sale, including, but not limited to, fixed price, negotiated bid, sealed bid, public auction or auctions or any other method of sale that allows public participation.”;
- And by relettering the remaining subsections accordingly;

Also on page 1, in line 43, by striking “80-109 is” and inserting “80-101 and 80-109 are”; In the title, in line 9, after “K.S.A.” by inserting “80-101 and”; in line 10, by striking “section” and inserting “sections”; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2726** be amended on page 1, in line 19, by striking “or method”; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2665** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT OF STANDING COMMITTEE

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

Request No. 53, by Representative Grange, congratulating Harold Gfeller on his 80th birthday;

Request No. 54, by Representative Peck, congratulating Gene and Sharon Kiister on their 50th Wedding Anniversary;

Request No. 55, by Representative Lukert, in memory of Tyrone T. Korte and his service as a highway worker;

Request No. 56, by Representative Sloan, congratulating Roger Shimomura and Carol Ann Carter on receiving Master Fellowships from the Kansas Arts Commission;

Request No. 57, by Representative McKinney, congratulating Ms. Linda Hill and the Norwich High School SADD Chapter on receiving statewide recognition for their activities for the Kansas Drug Free Campaign;

Request No. 58, by Representative McKinney, commending Roger Lowe on his commitment to bringing Wichita State University into the Regents System;

Request No. 59, by Representative Frownfelter, congratulating Mariza Hernandez on being the northeast regional winner of the “If I Were Mayor” essay contest;

Request No. 60, by Representative Rhoades, congratulating Derrick Richling on receiving the 2008 Kansas Horizon Award;

Request No. 61, by Representative Colyer, congratulating Alexander Davidson on attaining the rank of Eagle Scout;

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 were thereupon introduced and read by title:

HB 2908, An act concerning farm wineries; relating to permit requirements; amending K.S.A. 2007 Supp. 41-308a, 41-311 and 41-2645 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2909. An act concerning recreation commissions; amending K.S.A. 2007 Supp. 12-1922a and repealing the existing section; also repealing K.S.A. 2007 Supp. 12-1922b, by Education Budget Committee.

HB 2910. An act concerning crimes, punishment and criminal procedure; relating to domestic violence; amending K.S.A. 20-369, 21-3110, 21-3412, 21-4603d, 21-4704, 22-3210 and 60-3107 and K.S.A. 2007 Supp. 12-4104, 72-1397, 72-5445 and 74-5602 and repealing the existing sections; also repealing K.S.A. 21-3110b, 21-3412a and 21-4704b, by Committee on Judiciary.

HB 2911. An act concerning school districts; relating to wellness programs, by Committee on Education.

HB 2912. An act concerning workers compensation; relating to benefits; amending K.S.A. 44-510c, 44-510d, 44-510e and 44-510f and K.S.A. 2007 Supp. 44-501 and repealing the existing sections, by Committee on Commerce and Labor.

HB 2913. An act concerning service members; relating to civil relief; enacting the Kansas military service relief act, by Committee on Commerce and Labor.

HB 2914. An act concerning pharmaceutical manufacturing companies; relating to disclosure of gifts, payments and other economic benefits; amending K.S.A. 46-253, 46-254, 46-289, 46-290, 46-291 and 46-292 and K.S.A. 2007 Supp. 46-288 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2915. An act concerning campaign finance; relating to electioneering communications, by Committee on Federal and State Affairs.

On motion of Rep. Merrick, the House adjourned until 10:00 a.m., Monday, February 18, 2008.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

