

Journal of the House

THIRTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 10, 2008, 11:00 a.m.

The House met pursuant to recess with Speaker pro tem Dahl in the chair.
The roll was called with 121 members present.
Reps. Brown, Hill, O'Neal and Storm were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Jonathan Harvey, pastor, Beverly Community Church, Beverly, and guest of Rep. Bowers:

O God, our Father, we pray for our government and the people of this nation. We pray that we may hold our liberty in high esteem, that we may cherish and honor the sacrificial freedoms entrusted to our care. Inspire all of us to hold sacred this glorious heritage. Draw us together with the bonds of duty, making us glad and strong in doing it. Keep us from strife, and may we live together in unity. Keep us from denigration of race or class, choosing rather to honor one another. Lord, give us good judgment and a love for righteousness. Let us fear You, and You alone, and help us to fear nothing else. Bless, we pray, O Lord, the President of our country. Give him Your wisdom and strength. Be with all those in power. Be with our Governor, our State, this House, and the challenges they will face this day. Help them, Lord, to conduct wisely and represent honestly the business of this great state of Kansas. Teach us that our wisdom is not in ourselves, but in You. May this day be filled with Your presence, Your goodness, Your wisdom and peace as we carry out the work together. May the communities in which we live be enriched by our time, labor and efforts in this legislative body. May we all humbly bow before You on this 10th day of March, confessing our need for your Greatness, Your Sovereign Will, and Your everlasting Love. *"Now to the King eternal, immortal, invisible, to God who alone is wise, be glory and honor forever and ever. Amen."* (1 Timothy 1:17)

The Pledge of Allegiance was led by Rep. Long.

There being no objection, the following remarks of Rep. Gordon are spread upon the journal:

Luke Rockefeller, a senior at Washburn Rural High School, has achieved national recognition for exemplary volunteer service by receiving a 2008 Prudential Spirit of Community Award.

This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities. This program is America's largest youth recognition program based exclusively on volunteerism.

Luke earned this award by giving generously of his time and energy to initiate a free errand-running service to assist local senior citizens who are unable to handle this task on their own. Luke had been helping his grandparents, who live in a senior citizen home, by doing errands for them. He realized that there may be others at the home without assistance. Luke got permission from administrators at the facility and made flyers and posters, met

with residents to explain his free service and went shopping for groceries and other goods and services needed by his elderly customers.

The success of the State of Kansas, the strength of our communities and the overall vitality of American society depend in great measure upon the dedication of young people like Luke Rockefeller who use their considerable talents and resources to serve others. Through his volunteerism, Luke serves as an excellent role model for others and exemplifies an outstanding Citizen. From my experience with volunteerism, I know that the personal rewards from helping others of mutual benefit. Our country needs people like Luke that realize the importance of volunteer contributions to our community.

Luke says he is undecided about his plans for next year, but I want to wish him good luck in his endeavors and hope that Kansas can continue to reap the benefits from his volunteerism. Help me congratulate Luke Rockefeller on the Prudential Spirit of Community Award.

Rep. Gordon presented Luke with a House certificate.

There being no objection, the following remarks of Rep. Davis are spread upon the journal:

I am honored to be able to honor a great Kansan and one of our own, former Representative Carl Krehbiel. As many of you know, Carl served in the House of Representatives for eight years. He has been a successful businessman and served our country as a Lieutenant Colonel in the United States Army. Carl is a 1970 graduate of the University of Kansas and has been loyal supporter of the University ever since. Recently, Carl gave \$4 million to construct and provide for the deferred maintenance of a new scholarship hall that will be named for his parents, Floyd and Kathryn Krehbiel.

If you ever attend a KU basketball or football game, you will always see Carl cheering on the Jayhawks. KU is very fortunate to have such a committed alum and I hope you will assist me in recognizing Carl for his service to the State of Kansas and generous support of the University of Kansas.

On behalf of Reps. Schroeder, Ballard, Sloan, Holland and Brown and the other members of the House of Representatives, Rep. Davis presented Carl with a framed House certificate. Carl was accompanied to the House by Robert Hemenway, Chancellor of the University of Kansas, and Richard Lariviere, provost and executive vice chancellor.

Rep. Henry introduced Mark Pantle, who has been named Northeast Kansas Regional Artist in recognition of his role in creating, teaching and promoting art in Northeast Kansas, by his personal works of art and sharing the exhibition of them with the Agricultural Hall of Fame and the Kansas Statehouse, his teaching of art at regional Senior Centers, and for being one of the co-founders of the Gem of the Plains Art Guild.

On behalf of Rep. Tafanelli and all the members of the House, Rep. Henry presented Mark with a House certificate. Mark was accompanied to the House by his wife, Sarah.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2959, An act concerning sales taxation; relating to exemptions; Douglass senior center, inc.; amending K.S.A. 2007 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2958**.

Federal and State Affairs: **HB 2957**.

Taxation: **HB 2956**.

CONSENT CALENDAR

Objection was made to **SB 441** appearing on the Consent Calendar; the bill was placed on the calendar under the heading of General Orders.

No objection was made to **SB 432** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2520, An act concerning real property; relating to conversion of convertible lands; liability for real property taxes and other expenses; amending K.S.A. 58-3115a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, 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, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, 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, 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: Brown, Hill, O'Neal, Storm.

The bill passed.

HB 2750, An act concerning property taxation; relating to exemptions; certain property leased to companies for research and development purposes; amending K.S.A. 2007 Supp. 79-201a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 10; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Bethell, Bowers, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Holland, C. Holmes, M. Holmes, Horst, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, McKinney, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Beamer, Brunk, Faber, Gatewood, Hodge, Huebert, Kinzer, Mast, Masterson, McLachlan.

Present but not voting: None.

Absent or not voting: Brown, Hill, O'Neal, Storm.

The bill passed, as amended.

HCR 5028, A concurrent resolution memorializing the United States Army Corps of Engineers, Bureau of Reclamation and United States Congress to partner with the State of Kansas in order to extend the productive lives of reservoirs in Kansas, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, 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, Hodge, Hol-

land, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, 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, 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: Brown, Hill, O'Neal, Storm.

The resolution was adopted, as amended.

SB 267. An act relating to wildlife; defining the crime of failure to comply with a wildlife and parks citation; amending K.S.A. 2007 Supp. 32-1054 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, 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, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, 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, 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: Brown, Hill, O'Neal, Storm.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Bethell, the House concurred in Senate amendments to **HB 2578**, An act concerning health care; relating to the inspector general of the Kansas health policy authority; enacting the utilization of unused medications act; duties of the state department of health and environment and the state department on aging; amending K.S.A. 2007 Supp. 75-7427 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, 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, Hodge, Holland, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, 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, 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: Brown, Hill, O'Neal, Storm.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6018—

By Representative Lane

A RESOLUTION congratulating the Disability Rights Center on its
30th anniversary.

WHEREAS, In June 1977, Kansas Advocacy and Protective Services (KAPS) for the Developmentally Disabled, Inc., began advocating the legal rights of persons living with disabilities and has continued in that important work to this day; and

WHEREAS, Over the years, Kansas Advocacy and Protective Services, Inc., has expanded its services to serve all Kansans with disabilities, regardless of their disability; and

WHEREAS, In 2005, the name was changed to more accurately describe the duties and mission of the organization; it is now known as the Disability Rights Center (DRC) of Kansas, Inc.; and

WHEREAS, The Disability Rights Center of Kansas, Inc., as the officially designated Protection and Advocacy System in Kansas, performs needed and important services for Kansas residents with disabilities, including legal representation, advocacy representation, self advocacy support, public policy advocacy, as well as training and education; and

WHEREAS, Since its 2003 reorganization, the Disability Rights Center of Kansas, Inc., has become a trusted advocate for all Kansans with disabilities. From the courthouse, to the statehouse, to the schoolhouses across Kansas the DRC has more than tripled the number of Kansans it serves; and

WHEREAS, The legal-advocacy and public policy successes of the Disability Rights Center of Kansas, Inc., directly increase the quality of life of Kansans with disabilities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we do hereby recognize and congratulate the Disability Rights Center of Kansas, Inc., on its thirty years of zealous advocacy on behalf of residents of Kansas with disabilities and wish the DRC a happy 30th Anniversary.

REPORT ON ENGROSSED BILLS

HB 2750 reported correctly engrossed March 7, 2008.

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

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

