

# Journal of the House

FORTIETH DAY

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

The House met pursuant to recess with Speaker pro tem Dahl in the chair.  
The roll was called with 124 members present.  
Rep. Ballard was excused on excused absence by the Speaker.

Prayer by guest chaplain, Father Matt Marney, St. Francis of Assisi, Wichita, guest of Rep. Goico:

Loving God,

Thank you for these men and women who gather here today to serve the public good. Bless them with gifts of discernment and wisdom as they carry out their duties of service to this state.

We thank you for the blessings of our economy and of our land: for jobs, for homes, for food and for clothing. We ask you to bless those who lack the basic necessities of life. Please also bless those farmers who work tirelessly to provide for our communities.

God, we thank you for the gift of education. Thank you for the men and women who teach our young people and form them with knowledge of the truth. Bless the men and women here today who help govern the resources of this state which educate our young people.

Finally, God, we thank you for the freedom we enjoy in this country. Help us to be grateful for the values on which our country was founded. Help us to be grateful for the men and women who have died defending those values and still defend them today.

Bless all of us gathered here, as we seek to be good stewards of the many gifts you have given us all. Amen.

The Pledge of Allegiance was led by Rep. Quigley.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2960**, An act concerning sales taxation; relating to situs of taxable transactions; amending K.S.A. 2007 Supp. 12-191 and repealing the existing section, by Committee on Taxation.

**HB 2961**, An act concerning property taxation; relating to ad valorem property tax levy for schools, reduction; use of lottery moneys therefor; amending K.S.A. 2007 Supp. 72-6431 and 74-8768 and repealing the existing sections, by Committee on Taxation.

**HB 2962**, An act concerning sales taxation; relating to remittance credits for collection services provided by certain retailers, by Committee on Taxation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2959**.

**CONSENT CALENDAR**

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

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

**COMMITTEE OF THE WHOLE**

On motion of Rep. Kinzer, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **Sub. HB 2505** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H. Sub. for SB 113** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H. Sub. for SB 273** be adopted; also, on motion of Rep. Patton be amended on page 2, in line 8, by striking "may" and inserting "shall"; also in line 8, by striking "at"; by striking all in line 9; in line 10, by striking all before the period and inserting "as soon as reasonably possible after the first submission of the claim"; and **H. Sub. for SB 273** be passed as amended.

Committee report to **HB 2916** be adopted; and the bill be passed as amended.

Committee report to **HB 2672** be adopted; also, on motion of Rep. Bethell be amended on page 1, in the title, in line 10, by striking all following "the"; in line 11, by striking "units" and inserting "Kansas health policy authority"; and the bill be passed as amended.

Committee report to **HB 2740** be adopted; and the bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **SB 437** be passed.

Committee on **Education** recommends **HB 2714; SB 420** 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 **Judiciary** recommends **SB 433, SB 434** be passed.

Committee on **Taxation** recommends **HB 2762** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2762," as follows:

"Substitute for HOUSE BILL No. 2762

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax, apportionment of net income, business income, corporation surtax, credits for members of unitary group; sales tax, exemptions and refunds; amending K.S.A. 79-3285 and 79-32,141 and K.S.A. 2007 Supp. 79-3271, 79-32,110, 79-32,154 and 79-3606 and repealing the existing sections."; and the substitute bill be passed.

(**Sub. HB 2762** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2938** be amended on page 1, in line 15, after "of" by inserting "tangible"; in line 18, after "such" by inserting "tangible"; in line 23, after "are" by inserting "legally blind or"; in line 24, after "of" by inserting "tangible";

On page 2, in line 11, after "or" by inserting a comma; in line 13, after "letter" by inserting "or for organizations that would be exempt from federal income taxation pursuant to section 501(c)(3)"; in line 20, after "(e)" by inserting "The provisions of this section shall be part of and supplemental to the Kansas retailers' sales tax act.

(f)"; and the bill be passed as amended.

Committee on **Education Budget** recommends **HB 2858** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

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 2963.** An act concerning the lottery; amending K.S.A. 2007 Supp. 74-8724 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2964.** An act concerning service members; relating to civil relief; enacting the Kansas military service relief act, by Committee on Federal and State Affairs.

**HB 2965.** An act creating and implementing the fatherhood initiative program; relating to the duties of the department of social and rehabilitation services, by Committee on Federal and State Affairs.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6019—

By Representative Henry

A RESOLUTION congratulating and commending the Kansas Lewis and Clark Bicentennial Commission.

WHEREAS, The Kansas Lewis & Clark Bicentennial Commission was created to organize the Kansas portion of the celebration of the 200th anniversary of the year Lewis & Clark set out to explore the Louisiana Purchase; and

WHEREAS, The Commission purchased from the national Lewis & Clark Trail Heritage Foundation a curriculum and resource guide for middle and high school students for each school district in Kansas. The Commission's education subcommittee correlated the guide to Kansas educational standards and developed 10 addition Kansas-specific curriculums; and

WHEREAS, The Commission also created a *Lewis & Clark in Kansas* interactive DVD, *Lewis & Clark Traveling Resource Trunks* and sponsored *Main Street USA - Lewis & Clark* for more than 25,000 Kansas students; and

WHEREAS, The *Kansas Native American* resource handbook created by the Commission's Native Cultures subcommittee has been a model publication, copied by many other Lewis & Clark Trail states. It is in its third printing, has been distributed at national events in 15 states and is used by the National Park Service in its traveling exhibit *Corps of Discovery II*; and

WHEREAS, The Commission received a grant of \$135,000 from the National Park Service to develop a series of symposiums focusing on the importance of diplomatic relations between governments and tribal nations. The symposiums have been held in 11 states and the information gathered will be archived in a prominent archival institution; and

WHEREAS, More than 197,000 visitors attended the national signature event *A Journey Fourth*, in northeast Kansas from June 26 to July 3, 2004 to commemorate the beginning of the historic journey. In September 2006, successful local Bicentennial events were held in Atchison, Leavenworth and Kansas City to honor the return of the Lewis & Clark Expedition through what is now Kansas; and

WHEREAS, The Commission installed 21 interpretive signs, open-air pavilions, interactive touch screens, brochures and directional signs along the Kansas portion of the Lewis & Clark Trail; and

WHEREAS, The Commission maximized a \$238,000 state legislative appropriation into \$10,000,000 in legacy projects for Kansas since the year 2000; and

WHEREAS, The Commission and the local communities won several awards for their outstanding work including the Governor's Tourism Award from Governor Kathleen Sebelius: Now, Therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend the Kansas Lewis & Clark Bicentennial Commission for their outstanding work in making this important event happen and for gaining national recognition for the State of Kansas; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives be directed to provide 8 enrolled copies to Representative Henry for presentation to the Commission.

#### REPORT ON ENGROSSED BILLS

**HB 2578** reported correctly re-engrossed March 10, 2008.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Wednesday, March 12, 2008.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

