

# Journal of the House

FORTY-THIRD DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 14, 2008, 11:00 a.m.

The House met pursuant to recess with Speaker pro tem Dahl in the chair.  
The roll was called with 122 members present.  
Rep. Svaty was excused on legislative business.  
Reps. Aurand and McCray-Miller were excused on excused absence by the Speaker.  
Present later: Rep. Svaty.

Prayer by Chaplain Brubaker:

It's that time of the year again  
the atmospheric pressure is unpredictable,  
sometimes calm and sometimes volatile.  
It's a time when strong winds blow in,  
stirring everything up,  
wrecking havoc and causing chaos.  
It's a time when there can be a chill in the air one minute,  
then turn quickly to hot and heavy and oppressing.  
Protect us all from falling prey  
to the unsettledness of the atmosphere and winds.  
May we be prepared and strong enough  
to resist the obvious reaction  
to get caught up in tornadic activity.  
And, Lord, just in case one might not understand,  
it is not just the Kansas spring weather I am describing,  
but what possibly might be the climate in the House.  
Be with us, Lord.  
Amen.

The Pledge of Allegiance was led by Rep. Winn.

## INTRODUCTION OF GUESTS

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

Mr. Speaker and Fellow Members of the House of Representatives, I am privileged to stand here today with an incredible and impressive group of Kansas women. Before I tell you about the impressive accomplishment of this group I want to tell you what inspired their mission.

In July of 1999 Jamie and Brian Holeman had a prayer answered when they adopted a beautiful little girl they named Cassidy. Cassidy Holeman was a precious child that brought Mr. and Mrs. Holeman great amounts of joy and happiness. Sadly, the Holemans received tragic news in 2001 when doctors diagnosed little Cassidy with Leukemia. Cassidy proved to be a brave little girl and fought the disease with everything she had. However, God called little Cassidy home in July, 2006.

While hearts are broken over this loss and tears are still shed, Cassidy's parents have used this tragedy and the memory of little Cassidy as inspiration to not only to honor her, but to help countless other Kansans and Americans in the fight against Leukemia.

Last Spring, Jamie Holman, with the help of many close friends, organized Team Cassidy. Team Cassidy was a group of Wichita women who all agreed to help raise money for the Leukemia and Lymphoma Society. However, what they agreed and committed to do in order to raise the money is of special note. This extraordinary group of women made up wives, moms, and students agreed to enter the San Francisco Nike Women's Marathon.

Every member of Team Cassidy with us here today not only ran the marathon, they finished it. Perhaps even more remarkable than the completion of the marathon is the amount of money raised by Team Kassidy. In all, women from all across America participating in the marathon raised an astounding \$18.8 million for the Leukemia and Lymphoma Society. Our team from Kansas, Team Cassidy made an impressive contribution to the cause in the amount of \$57,000.

The members of Team Cassidy are Cathy Sullentrop, Jamie Holeman, Jill Ann Ward, Chris Ketzner, Sarah Sullentrop, Jenni Lines, Colleen Mikeshel, Julie Stremel, Sarah Cundiff, and Kelly Watkins.

Mr. Speaker, I know all Kansans are proud and appreciative of Team Cassidy's contribution to this most noteworthy cause and I invite all my colleagues in this historic Chamber to join me in commending and congratulating the Members of Team Cassidy.

There being no objection, the following remarks of Reps. Faust-Goudeau and Garcia are spread upon the journal:

On behalf of the Kansas State House of Representatives, I would like to take this opportunity to extend our thanks and appreciation to the Museum of World Treasures of Wichita and Hell Creek Relics of Valley Center, North Dakota. They have worked diligently to bring a wonderful attraction to our state: T-Rex Ivan.

We recognize the importance of tourism to our state economy and value institutions that make great strides in fostering a climate that entices visitors from neighboring states and around the globe.

T-Rex Ivan is 65% actual fossil which means that he is the third most complete t-rex specimen in the world. He was discovered by Alan Komrosky and Gary Olsen of Hell Creek Relics and secured for permanent display by private collectors and representatives of the Museum of World Treasures.

We are here to recognize them for their great contribution to the economy of the State of Kansas and to the education of the citizens herein. It is with honor that we present to these certificates of appreciation as a token of our thanks to Alan Komrosky and Gary Olsen of Hell Creek Relics, and President, Mike Noller, Director of Collections, LaWanda Smith, Lon Smith, Director of Sales & Marketing, and board members Kim Noller, and Dr. Jon and Lorna Kardatzke.

Reps. Faust-Goudeau and Garcia presented framed House certificates.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. 5038—

By Representative Myers

A CONCURRENT RESOLUTION establishing a Kansas energy plan.

WHEREAS, Energy plays a vital role in the Kansas economy; and

WHEREAS, Kansas needs an energy plan for the state to develop a balanced energy approach, a plan which allows for continued development of all energy sources but is not driven by special interests or energy crises; and

WHEREAS, According to data published by the Energy Information Administration, the state's total supply of electricity is nearly equal to the state's usage; and

WHEREAS, The State Corporation Commission reports in testimony on February 20, 2008, that due to the aging of much of the base power supply generation, it will be necessary to replace much of that generation within the next 20 years; and

WHEREAS, A state energy plan should provide a framework for future legislative action to move the state toward electric energy affordability, sustainability and independence: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Legislature hereby establish the Kansas energy plan; and

*Be it further resolved:* That the following terms have the meanings provided below for purposes of the Kansas energy plan:

(a) "Base-load generation" means dispatchable electric generation which is expected to be operated at a capacity factor greater than 45%, based on variable fuel costs. Base-load generation includes coal-fired steam, nuclear and hydropower generation.

(b) "Capacity factor" means the amount of energy produced by a generator in a year divided by the product of the nameplate capacity rating of the generator times the number of hours in a year.

(c) "Intermediate-load generation" means dispatchable electric generation which is expected to be operated at a capacity factor between 30% and 45%, based on variable fuel costs. Intermediate-load generation includes gas-fired combined cycle generation.

(d) "Intermittent-load generation" means electric generation which has very low variable fuel costs and which cannot be dispatched because the output is controlled by the natural variability of the energy resource. Intermittent-load generation includes wind and solar energy generation.

(e) "Nameplate capacity" means the rating in megawatts of an electric generator at 100% design conditions.

(f) "Peak-load generation" means dispatchable electric generation which is expected to be operated at a capacity factor less than 30%, based on variable fuel costs. Peak-load generation includes combustion turbine, internal combustion engine and gas-fired steam generation; and

*Be it further resolved:* That the Legislature adopt the following policies as the foundation of the state energy plan:

(a) Encouragement of continued development of alternative and renewable energy;

(b) enactment of legislation implementing policies which will increase the electric transmission infrastructure of the state;

(c) repeal of laws and public policies that restrict development of domestic energy supplies, including, but not limited to, nuclear power generation and domestic fossil fuel reserves;

(d) support for the southwest power pool and the Kansas electric transmission authority in acquiring adequate transmission for electric generation needs of the state;

(e) recognition that the age of the current electric generation capacity will require it to be replaced within the next 20 years; and

(f) promotion of market driven solutions to electric generation needs of the state; and

*Be it further resolved:* That the State Corporation Commission be requested to submit annually a written report to the senate committee on utilities and the house committee on energy and utilities, or their successors, on or before the beginning of the regular session of the Legislature beginning in 2009 on recommendations for legislative changes needed to facilitate the state energy plan, the development of clean burning coal technology and the progress of nuclear power generation in the country and state in particular; and

*Be it further resolved:* That the Legislature adopt the following for purposes of planning for future growth in demand for electricity:

(a) For the year 2006, capacity available in this state from base-load generation was 43,584 gigawatt hours.

(b) The total additional base-load generation capacity that will be needed in this state by the year 2028 is projected to be 59,000 gigawatt hours.

(c) The projected increase in demand for electricity over the next 20 years will require the phase in of the following increases in electric generation capacity in this state:

- (1) For the years 2007 through 2015, based on a historical annual growth rate of 1.3% per year, 4,416 gigawatt hours.
- (2) Based on a projected annual growth rate of 1.6%:
  - (A) For the years 2016 through 2020, 4,000 gigawatt hours.
  - (B) For the years 2021 through 2025, 4,500 gigawatt hours.
  - (C) For the years 2026 through 2028, 2,500 gigawatt hours.
  - (d) The state, in accordance with the policies expressed in section 3, and amendments thereto, shall take such actions as necessary to encourage the development of electric generation capacity in this state to meet increases in demand for electricity over the next 20 years; and

*Be it further resolved:* That the Legislature adopt the following for purposes of planning for future fuel needs for electric generation:

- (a) The present fuel mix for base-load generation in this state is coal, 73%; nuclear, 21%; and natural gas, 4%.
- (b) The state, in accordance with the policies expressed in section 3, and amendments thereto, shall take such actions as necessary to encourage the following fuel mixes to be the source of base-load electric generation in this state:
  - (1) By the year 2020, coal, 70%; nuclear, 25%; and natural gas, 5%.
  - (2) By the year 2025, coal, 65%; nuclear, 30%; and natural gas, 5%.
  - (3) By the year 2028, coal, 60%; nuclear, 35%; and natural gas, 5%.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Agriculture and Natural Resources: **HCR 5037**.

Education: **HB 2969; HR 6021**.

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 524, SB 554; Sub. SB 577; SB 651, SB 669**.

Announcing passage of **HB 2656, HB 2665, HB 2748**.

The Senate concurs in House amendments to **SB 267**.

Also, announcing passage of **HB 2628, HB 2749**.

Announcing passage of **HB 2660**, as amended; **HB 2692**, as amended; **Sub. HB 2757**, as amended; **HB 2847**, as amended.

Also, the Senate nonconcurrs in House amendments to **H. Sub. for SB 113**, requests a conference and has appointed Senators Teichman, Wysong and Steineger as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H. Sub. for SB 273**, requests a conference and has appointed Senators Teichman, Wysong and Steineger as conferees on the part of the Senate.

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills and concurrent resolutions thereupon introduced and read by title:

**SB 524, SB 554; Sub. SB 577; SB 651, SB 669**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 113**.

Speaker pro tem Dahl thereupon appointed Reps. Shultz, Brown and Dillmore as conferees on the part of the House.

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **H. Sub. for SB 273**.

Speaker pro tem Dahl thereupon appointed Reps. Shultz, Brown and Dillmore as conferees on the part of the House.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Merrick, pursuant to House Rule 2306, **SB 420** was withdrawn from the calendar under the heading General Orders and rereferred to Committee on Education.

**MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

The motion of Rep. Ruiz, in accordance with subsection (b) of House Rule 1309, that **HB 2937** be withdrawn from Committee on Commerce and Labor and be placed on the calendar under the order of business General Orders, was considered.

Roll call was demanded.

On roll call, the vote was: Yeas 50; Nays 72; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Burroughs, Carlin, Crow, Davis, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Holland, Kuether, Lane, Loganbill, Long, Lukert, Mah, McKinney, McLachlan, Menghini, Judy Morrison, Neighbor, Palmer, Patton, Pauls, Peterson, Phelps, Powers, Rardin, Ruff, Ruiz, Sawyer, Storm, Swenson, Tietze, Treaster, Trimmer, Ward, Wetta, Williams, Winn.

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

Present but not voting: None.

Absent or not voting: Aurand, McCray-Miller, Svaty.

The motion of Rep. Ruiz did not prevail.

**CONSENT CALENDAR**

No objection was made to **SB 526**, **SB 614** appearing on the Consent Calendar for the first day.

No objection was made to **SB 579** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2714**, **HB 2858** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2714**, An act enacting the interstate compact on educational opportunity for military children, 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: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, 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, 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: Aurand, McCray-Miller, Svaty.  
The bill passed.

**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, 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: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, 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, 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: Aurand, McCray-Miller, Svaty.

The bill passed.

**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, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 18; Present but not voting: 0; Absent or not voting: 3.

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

Nays: Burroughs, Crow, Dillmore, Flora, Gatewood, Johnson, King, Knox, McKinney, Menghini, Neighbor, Otto, Owens, Phelps, Storm, Treaster, Trimmer, Williams.

Present but not voting: None.

Absent or not voting: Aurand, McCray-Miller, Svaty.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: We have issues on incarceration of felons and we have concerns about bed space for the treatment of drug offenders.

We need to review the release procedures of those who have served their time and are deserving of release. By rewarding those who have worked hard to repay society for their crimes, served their sentence and have prepared themselves to lead productive lives, we will find additional bed space.

Expenditures for additional prison facilities must remain the responsibility of the legislature. I vote yes on **HB 2873**.—JOHN C. GRANGE

MR. SPEAKER: With this vote the Kansas House is continuing to send a clear message that criminals interested in property crimes are welcome to come and prey on the citizens of Kansas. A yes vote tells the people that you are more interested in not building prisons than you are in protecting the public. Because I do NOT want a felon friendly Kansas, Mr. Speaker, I vote NO on **HB 2873**.—BILL OTTO

**SB 433**, An act enacting the uniform prudent management of institutional funds act; repealing K.S.A. 58-3601 through 58-3609, 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: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, 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, 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: Aurand, McCray-Miller, Svaty.

The bill passed.

**SB 434**, An act relating to civil procedure; concerning certain rules of procedure; amending K.S.A. 60-216, 60-226, 60-233, 60-234, 60-237 and 60-245 and repealing the existing sections, 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: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, 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, 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: Aurand, McCray-Miller, Svaty.

The bill passed.

**SB 437**, An act concerning postsecondary educational institutions; relating to the ROTC service scholarship program; establishing the military service scholarship program; relating to textbooks, 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: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, 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, 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: Aurand, McCray-Miller, Svaty.

The bill passed, as amended.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 89**, submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as Further Amended by House Committee, as follows:

On page 2, in line 36, by striking all after "thereto"; by striking all in lines 37 through 39; in line 40, by striking all before the period; also in line 40, before "The" by inserting: "Whenever moneys are credited to the interstate water litigation fund pursuant to this subsection (a)(1), the director of accounts and reports shall transfer all such moneys from the interstate water litigation fund to the interstate water litigation reserve account of the state general fund until the balance in the interstate water litigation reserve account of the state general fund equals \$20,000,000.";

On page 3, in line 3, by striking all after "the" where it appears for the first time; by striking all in lines 4 and 5; in line 6, by striking all before the comma and inserting "balance in the interstate water litigation reserve account of the state general fund equals \$20,000,000";

On page 4, in line 10, by striking "the" and inserting "a";

In the title, in line 14, by striking all before the period and inserting "Republican river water conservation projects - Nebraska moneys fund and the Republican river water conservation projects - Colorado moneys fund";

And your committee on conference recommends the adoption of this report.

JOHN FABER  
FORREST J. KNOX  
JOSH SVATY  
*Conferees on part of House*

MARK TADDIKEN  
ROGER C. PINE  
MARCI FRANCISCO  
*Conferees on part of Senate*

On motion of Rep. Faber, the conference committee report on **SB 89** was adopted.

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

Yeas: Ballard, Beamer, Bethell, Bowers, Brown, 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, Hill, 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, McKinney, McLachlan, McLeland, Menghini, Mer-



rick, 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, 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: Aurand, McCray-Miller, Svaty.

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

#### COMMITTEE OF THE WHOLE

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

Recommended that **HB 2893** be passed.

Committee report recommending a substitute bill to **Sub. HB 2762** be adopted; also, roll call was demanded on motion of Rep. Dillmore to amend on page 1, in line 18, by striking "2008" and inserting "2009"; in line 25, by striking "2007" and inserting "2008";

On page 3, in line 39, by striking "2007" and inserting "2008";

On page 4, in line 34, by striking "2.85%" and inserting "2.35%";

By striking all of sections 4 and 5;

By striking all of section 6;

By striking all of new section 7;

And by renumbering the remaining sections accordingly;

On page 41, in line 22, by striking "and 79-32,141"; in line 23, by striking the first comma and inserting "and"; also in line 23, by striking ", 79-32,154 and 79-3606";

On page 1, in the title, in line 9, after "concerning" by inserting "income"; also in line 9, by striking "income tax,,"; in line 10, by striking the first two commas and inserting a semicolon for each; also in line 10, by striking ", credits for members"; in line 11, by striking all before the second semicolon; in line 12, by striking "and 79-32,141"; also in line 12, by striking all after "Supp.,"; in line 13, by striking "32,154 and 79-3606" and inserting "79-3271 and 79-32,110";

On roll call, the vote was: Yeas 37; Nays 80; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Burroughs, Carlin, Crow, Dillmore, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Garcia, Grant, Hawk, Henderson, Henry, Kuether, Lane, Loganbill, Long, Lukert, Mah, McKinney, McLachlan, Menghini, Palmer, Pauls, Phelps, Ruff, Ruiz, Storm, Swenson, Tietze, Treaster, Ward, Wetta, Williams, Winn.

Nays: Bethell, Bowers, Brown, Brunk, Burgess, Carlson, Colloton, Colyer, Craft, Crum, Dahl, Davis, Donohoe, Faber, Fund, Gatewood, George, Goico, Gordon, Goyle, Grange, Hayzlett, Hill, Hodge, Holland, M. Holmes, Horst, Huebert, Humerickhouse, Johnson, Kelley, Kelsey, King, Kinzer, Knox, Landwehr, Light, Mast, Masterson, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Owens, Patton, Peck, Pottorff, Powell, Powers, Proehl, Quigley, Rardin, Rhoades, Roth, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Swanson, Tafanelli, Trimmer, Vickrey, Watkins, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Aurand, Beamer, C. Holmes, Huntington, Kiegerl, McCray-Miller, Peterson, Svaty.

The motion of Rep. Dillmore did not prevail.

Also, on motion of Rep. King, **Sub. HB 2762** be amended on page 1, in line 16, before "K.S.A." by inserting "On and after July 1, 2008,";

On page 3, in lines 35 and 43, before "K.S.A." by inserting "On and after July 1, 2008,";

On page 4, in line 39, before "K.S.A." by inserting "On and after July 1, 2008,";

On page 5, in line 12, before "K.S.A." by inserting "On and after July 1, 2008,";

On page 9, in line 28, before "K.S.A." by inserting "On and after July 1, 2008,";

On page 41, after line 21, by inserting the following:

“(c) The provisions of this section shall be effective on and after July 1, 2008.

New Sec. 8. (a) Subject to limitations contained herein, for tax years 2007, 2008, 2009 and 2010, any taxpayer who makes a capital investment in a business which is located in the city of Chanute, Coffeyville, Erie, Fredonia, Greensburg, Independence, Iola, Neodesha or Osawatomie, Kansas, or within one mile of the city limits of any such city as long as such business is located in Kansas, when such investment is made within three years of the date of the occurrence of the disaster which is the subject of major disaster declaration DR 1699 or DR 1711 as the case may be shall be allowed a credit not to exceed 10% of such investment against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The total amount of credit allowed pursuant to this section for any one taxpayer shall not exceed \$100,000. The amount of credit allowed under this section shall be reduced by an amount equal to any assistance payment received by the taxpayer pursuant to the provisions of K.S.A. 75-3713e, and amendments thereto, or an assistance payment received by the taxpayer pursuant to the southeast Kansas business restoration assistance program as approved by the state finance council for the same investment as provided in this section. Notwithstanding any other provision of law, no taxpayer shall claim more than one credit allowed under this subsection for the same investment as provided in this section. If the amount of the tax credit determined under this section exceeds the income, privilege or premium tax liability for the taxpayer for any taxable year in which the qualified investment is made, the amount thereof which exceeds such tax liability may be carried over for deduction from such taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability, except that no such credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the qualified investment was made.

(b) (1) For tax years 2007, 2008, 2009 and 2010, a taxpayer may receive a refund of tax liability in lieu of the credit provided in this act. The refund shall be in an amount up to 50% of the credit earned by the taxpayer. The amount of refund allowed under this subsection shall be reduced by an amount equal to any assistance payment received by the taxpayer pursuant to the provisions of K.S.A. 75-3713e, and amendments thereto, or an assistance payment received by the taxpayer pursuant to the southeast Kansas business restoration assistance program as approved by the state finance council for the same investment as provided in this section. Notwithstanding any other provision of law, no taxpayer shall claim more than one credit or refund allowed under this subsection for the same investment.

(2) A claim for refund shall be made prior to the taxpayer claiming any credit on which the refund is based. Should the taxpayer elect to receive the cash in lieu of the credit, the remaining portion of the tax credit shall be lost. Any refund pursuant to this subsection shall be allowed against the tax liability imposed under the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, and the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated in the tax year the qualified investment is placed into service. The amount of such refund which exceeds such tax liability shall be refunded to the taxpayer.

(3) The secretary of revenue shall submit an annual report to the legislature detailing taxpayers that have made the election to receive a refund in lieu of the credit. The annual report shall provide the aggregate amount of such refunds. Such report shall be due during the legislative session, commencing with the 2009 legislative session.

(c) As used in this section, “capital investment” means an investment in the construction, equipment, reconstruction, maintenance, repair, enlargement, furnishing or remodeling of real property, and the purchase, lease or repair of tangible personal property. A “capital investment” shall not include inventory or property held for sale in the ordinary course of business.

(d) The secretary of revenue shall adopt rules and regulations to carry out the provisions of this act.”;

And by renumbering the remaining sections accordingly;

Also on page 41, in line 22, before “K.S.A” by inserting “On and after July 1, 2008.”; in line 25, by striking “statute book” and inserting “Kansas register”;

On page 1, in the title, in line 11, after “group” by inserting “and credits and refunds for capital investments in businesses located in certain cities damaged by a disaster”; and **Sub. HB 2762** be passed as amended.

Committee report to **HB 2938** be adopted; also, on motion of Rep. Sloan to amend, the motion did not prevail. Also, on further motion of Rep. Sloan to amend, the motion did not prevail.

Also, on motion of Rep. Davis, **HB 2938** be amended on page 2, in line 5, by striking “2009” and inserting “2008”;

On page 7, in lines 32 and 38, by striking “2009” and inserting “2008”;

Also, on motion of Rep. O’Neal to amend **HB 2938**, the motion did not prevail.

Also, on motion of Rep. Goyle, **HB 2938** be amended on page 1, in line 24, after “services”, the first time it appears, by inserting “, homeless assistance programs including transitional programs, housing programs in which the primary purpose is to construct, repair or reconstruct houses for elderly or low-income families, programs designed to give aid to low-income individuals or communities, or the disadvantaged”;

Also, on motion of Rep. Palmer, **HB 2938** be amended on page 2, in line 27, before “K.S.A.” by inserting “On and after July 1, 2008.”;

On page 7, in line 36, before “K.S.A.” by inserting “On and after July 1, 2008.”;

On page 38, in line 30, before “K.S.A.” by inserting “On and after July 1, 2008.”;

On page 39, after line 4, by inserting the following:

“New Sec. 5. The following shall be exempt from the tax imposed under the Kansas retailers’ sales tax act: All sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business facility that was previously located in any county declared or designated by the president to be in a state of disaster emergency pursuant to major disaster declaration DR 1711, and that has been damaged or destroyed by flooding and other severe weather as a result of such disaster, and the sale and installation of machinery and equipment purchased for installation at any such business facility, including any fence, the purpose for which is to enclose land devoted to agricultural use. Any person constructing, reconstructing, remodeling or enlarging a business facility in any such county, who had leased such a facility to a business in any such county prior to the occurrence of such disaster, and that such business has been damaged or destroyed by flooding and other severe weather as a result of such disaster, and which such facility shall be leased in whole or in part, to a business that was previously located in any such county, prior to the occurrence of such disaster and that such business has been damaged by flooding and other severe weather as a result of such disaster, that would be eligible for a sales tax exemption hereunder if such business had constructed, reconstructed, enlarged or remodeled such facility or portion thereof itself shall be entitled to the sales tax exemption under the provisions of this section. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business facility, such person shall obtain from the state prior to July 1, 2009, an exemption certificate for the project involved. The certificate shall be furnished to the contractor to purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the person that obtained the exemption certificate, a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compen-

sating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. Sales tax paid on and after the occurrence of the disaster provided for in this section, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation prior to July 1, 2009, upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee. The provisions of this section shall be part of and supplemental to the Kansas retailers' sales tax act.”;

And by renumbering the remaining sections accordingly;

Also on page 39, in line 5, before “K.S.A.” by inserting “On and after July 1, 2008,”; in line 8, by striking “statute book” and inserting “Kansas register”;

On page 1, in the title, in line 10, by striking “non-”; in line 11, by striking “profit organizations”;

Also, on motion of Rep. Peck to amend **HB 2938**, the motion did not prevail.

Also, on motion of Rep. Menghini, **HB 2938** be amended (see further action) on page 2, in line 3, by striking all after “(c)”;

by striking all in lines 4 and 5 and inserting “Any nonprofit organization which was provided an exemption from the tax imposed by the Kansas retailers' sales tax act prior to January 1, 2009, shall retain such exemption until December 31, 2013. At such time any such organization shall be required to meet the requirements of this section to be allowed an exemption pursuant to this section. If the organization meets the requirements of this section, the organization shall be allowed an exemption subject to the requirements of this section. If the organization does not apply for an exemption or does not meet the requirements of this section, the secretary shall notify the organization of such denial and the exemption shall be forfeited.”;

in line 20, by striking “and”;

in line 22, after “status” by inserting “; and (3) provide a clear procedure for the organization to reapply for an exemption every five years as provided in subsection (e)”;

in line 23, after “(e)” by inserting the following:

“Any organization allowed an exemption pursuant to this section or any organization described in subsection (c) shall reapply for such exemption every five years from the time of such organization's initial exemption allowance, and at such time of renewal, such organization shall be subject to all requirements of this section to be allowed to continue to have the exemption provided by this section.

(f);

Also on page 2, in line 25, by striking “(f)” and inserting “(g)”;

On page 7, in line 33, by striking all after “exemption”;

by striking all in line 34; in line 35, by striking all before the period and inserting “until December 31, 2013, and on and after January 1, 2014, such organization shall be subject to the requirements of subsection (c) and all other requirements of section 1, and amendments thereto”;

in line 39, by striking all after “exemption”;

by striking all in line 40; in line 41, by striking all before the period and inserting “until December 31, 2013, and on and after January 1, 2014, such organization shall be subject to the requirements of subsection (c) and all other requirements of section 1, and amendments thereto”;

Also, on motion of Rep. O'Neal, **HB 2938** be amended on page 1, in line 28, by striking “and”;

in line 38, before the period, by inserting the following:

“; and

(3) all sales of tangible personal property and services purchased by any organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and which such tangible personal property and services are used for the purpose of preservation, renovation and beautification of state property”;

Also, having voted on the prevailing side in the adoption of the amendment of Rep. Menghini (see previous action), Rep. McKinney moved that the House reconsider its action. The motion prevailed.

The question then reverted back to the motion of Rep. Menghini to amend **HB 2938**, and the motion did not prevail; and **HB 2938** be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 474**, **SB 557** be passed.

Committee on **Agriculture and Natural Resources** recommends **SB 475** 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 **Elections and Governmental Organization** recommends **HB 2935** be amended on page 1, in line 20, by striking “gnashed” and inserting “quashed”; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 514** 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 **Federal and State Affairs** recommends **SB 329** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 329,” as follows:

“HOUSE Substitute for SENATE BILL No. 329

By Committee on Federal and State Affairs

“AN ACT enacting the Kansas illegal alien reform act; amending K.S.A. 21-3830, 22-2802 and 25-2416 and K.S.A. 2007 Supp. 8-240 and 8-1324 and repealing the existing sections.”; and the substitute bill be passed.

(**H. Sub. for SB 329** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 419**, **SB 467** 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 **Transportation** recommends **SB 462**, **SB 509** be passed and, because the committee is of the opinion that the bills are 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. 99**, by Representative Vickrey, congratulating Paul Baumgardner on winning fourth place in Kansas in the National American Legion High School Oratorical Contest;

**Request No. 100**, by Representative Faust-Goudeau, commending Gary Olsen and Adam Komrosky for their discovery of the 65-million-year-old Tyrannosaurus Rex named Ivan;

**Request No. 101**, by Representatives Faust-Goudeau and Garcia, commending the Museum of World Treasures for hosting the 65-million-year-old Tyrannosaurus Rex named Ivan and for recognizing the importance of tourism to our state economy;

**Request No. 102**, by Representative Davis, honoring Carl Krehbiel for his service to the State of Kansas and support of the University of Kansas;

**Request No. 103**, by Representative Watkins, commending members of Team Cassidy on their commitment and contribution to The Leukemia and Lymphoma Society;

**Request No. 104**, by Representative Quigley, congratulating Kevin Krumme on attaining the rank of Eagle Scout;

**Request No. 105**, by Representative Kiegerl, congratulating Georgann Whitman on directing the Madrigals at Carnegie Hall;

**Request No. 106**, by Representatives Carlin, Hawk and Craft, commending Patrick J. E. Livingston on his role in identifying the bombers of the Murrah Building in Oklahoma City;

**Request No. 107**, by Representative Kiegerl, congratulating the first place winners in the National Engineering Design Challenge;

**Request No. 108**, by Representative Tafanelli, commending Mary Naumann and Patricia Zimmerman on being named Kansas National Board Certified Teachers;

**Request No. 109**, by Representative Neufeld, congratulating Ann E. (Annie) Marquis on her retirement as Administrative Officer for the Kansas Legislative Research Department;

**Request No. 110**, by Representative Vickrey, congratulating Louisburg Middle School music groups on winning I Ratings at the Prairie View Invitational Music Festival;

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 bill was thereupon introduced and read by title:

**HB 2970**, An act concerning funerals; relating to the Kansas funeral privacy act; repealing K.S.A. 21-4015, as amended by section 1 of chapter 111 of the 2007 Session Laws of Kansas, and K.S.A. 2007 Supp. 75-702a, by Committee on Federal and State Affairs.

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

---

### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Neufeld in the chair.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2971**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; purchase of service credit, by Committee on Appropriations.

#### REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **SB 81**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 81," as follows:

"HOUSE Substitute for SENATE BILL No. 81

By Committee on Health and Human Services

"AN ACT enacting the health care reform act of 2008; amending K.S.A. 21-3851, 40-2119, 40-2124, 40-2209d, 46-3001 and K.S.A. 2007 Supp. 39-709, 40-19c06, 40-2209, 40-2240, 40-3209, 65-7402, 65-7403, 74-50,301, 74-50,302, 75-6501, 75-7423 and 75-7427 and repealing the existing sections."; and the substitute bill be passed.

(**H. Sub. for SB 81** was thereupon introduced and read by title)

#### COMMITTEE ASSIGNMENT CHANGE

Rep. McCray-Miller will replace Rep. Frownfelter on Committee on Taxation on Monday, March 17.

#### REPORT ON ENROLLED RESOLUTIONS

**HB 2578** reported correctly enrolled and properly signed on March 14, 2008.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Monday, March 17, 2008.