

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, April 1, 2008, 9:00 a.m.

The House met pursuant to recess with Speaker Neufeld in the chair.
The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Capital improvements - \$1 million;
Agricultural subsidy - \$2 million;
Education enhancements- \$3 million
Healthcare reform - \$4 million;
Representatives putting aside personal and party preferences
and working together for what is best for the state — PRICELESS.
Lord, help us to remember to
“Be completely humble and gentle;
be patient, bearing with one another in love
and make every effort to keep the unity
of the Spirit through the bond of peace. (*Eph. 4:2-3*)
Be with the Spalding family in this time
of the death of Sheryl’s father.
Bring comfort to them in their time of loss.
In Christ’s name I pray, Amen.

The Pledge of Allegiance was led by Rep. Knox.

INTRODUCTION OF GUESTS

Rep. Owens introduced the following exchange students who are serving as pages in the House today: Lidya Jirjis, Iraq, who is attending Lawrence High School; Akhtar Newaz, Bangladesh, attending Gardner High School; Ruben Dermoyan, Armenia, attending Louis-berg High School; and Shukriya Nazridod, Tajikistan, attending Wellsville High School. They were accompanied today by Allyson Sass who attends Baldwin High School.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education: **SB 696**.

Insurance and Financial Institutions: **SB 637**.

Transportation: **SB 591, SB 689**.

COMMUNICATIONS FROM STATE OFFICERS

From William V. Minner, Executive Director, in accordance with KSA 44-1004(13), Kansas Human Rights Commission Annual Report for fiscal year 2007.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2685. An act concerning geriatric medicine; relating to approved postgraduate residency training program for the university of Kansas school of medicine and the doctor of osteopathy medical student loan programs; amending K.S.A. 2007 Supp. 74-3266 and 76-381 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, 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, 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, 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: Hodge.

The bill passed.

HB 2978. An act concerning cities; relating to annexation; amending K.S.A. 12-531 and 12-532 and K.S.A. 2007 Supp. 12-520 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 35; Present but not voting: 0; Absent or not voting: 0.

Yeas: Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlson, Colloton, Colyer, Craft, Davis, Dillmore, Donohoe, Faust-Goudeau, Feuerborn, Flaharty, Frownfelter, Fund, Garcia, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Henderson, Henry, Hodge, Holland, Horst, Huebert, Huntington, Kelley, Kelsey, Kiegerl, King, Kinzer, Knox, Lane, Loganbill, Long, Lukert, Mah, Masterson, McCray-Miller, McKinney, McLeland, Jim Morrison, Moxley, Myers, Neighbor, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Phelps, Pottorff, Powell, Proehl, Quigley, Roth, Ruff, Sawyer, Schroeder, Schwartz, Shultz, Sloan, Storm, Svaty, Swanson, Swenson, Tietze, Treaster, Trimmer, Vickrey, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Aurand, Carlin, Crow, Crum, Dahl, Faber, Flora, Gatewood, Hayzlett, Hill, C. Holmes, M. Holmes, Humerickhouse, Johnson, Kuether, Landwehr, Light, Mast, McLachlan, Menghini, Merrick, Metsker, Judy Morrison, Neufeld, Owens, Peterson, Powers, Rardin, Rhoades, Ruiz, Siegfried, Spalding, Tafanelli, Ward, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2983. An act establishing the physician work force and accreditation task force; providing for the composition and the duties and functions of the task force; report to the 2009 session of the legislature, was considered on final action.

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

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, Hill, Holland,

C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Johnson, Kelley, Kelsey, Kiegerl, King, 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, O'Neal, Olson, Otto, Owens, Palmer, Patton, Pauls, 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: Brown, Hodge, Kinzer, Peck.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2991, An act concerning the juvenile justice authority; relating to state juvenile correctional facilities; creating the juvenile correctional facilities closure and repurposing commission; prescribing powers, duties and functions for the commission, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 39; Present but not voting: 0; Absent or not voting: 0.

Yeas: Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Carlin, Carlson, Colleton, Colyer, Crum, Dahl, Davis, Donohoe, Faber, Feuerborn, Flaharty, Fund, Gatewood, George, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Hill, Hodge, C. Holmes, M. Holmes, Horst, Huebert, Humerickhouse, Huntington, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Light, Loganbill, Lukert, Mah, Mast, Masterson, McKinney, Menghini, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Patton, Pauls, Peterson, Pottorff, Powell, Proehl, Rhoades, Roth, Ruff, Sawyer, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, B. Wolf, K. Wolf, Yoder.

Nays: Aurand, Burroughs, Craft, Crow, Dillmore, Faust-Goudeau, Flora, Frownfelter, Garcia, Gordon, Henderson, Henry, Holland, Johnson, King, Kuether, Landwehr, Lane, Long, McCray-Miller, McLachlan, McLeland, Neighbor, Otto, Owens, Palmer, Peck, Phelps, Powers, Quigley, Rardin, Ruiz, Storm, Tietze, Treaster, Trimmer, Williams, Winn, Worley.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

H. Sub. for SB 189, An act concerning drainage and levees; relating to excavation by drainage districts; amending K.S.A. 24-132 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burroughs, Carlin, Carlson, Colleton, 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, McCray-Miller, 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Burgess.

Present but not voting: None.

Absent or not voting: None.
The substitute bill passed.

H. Sub. for SB 387, An act relating to investments of idle funds; concerning the state board of regents; deferred maintenance support funding; authorizing a pilot investment program for investment of the idle funds of a state educational institution; prescribing certain guidelines, powers, duties, functions and limitations therefor establishing the Kansas housing loan deposit program; amending K.S.A. 2007 Supp. 75-4209 and repealing the existing section, was considered on final action.

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

Yeas: Aurand, Ballard, Beamer, Bethell, Bowers, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Colyer, Craft, Crow, Crum, Dahl, Davis, Dillmore, Donohoe, Faber, Faust-Goudeau, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Goyle, Grange, Grant, Hawk, Haylett, 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, McCray-Miller, 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, Svaty, Swanson, Swenson, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Feuerborn, Gordon, Winn.
Present but not voting: None.
Absent or not voting: None.
The substitute bill passed, as amended.

SB 471, An act concerning taxation; relating to electronic filing of returns and reports imposing a carbon mitigation incentive tax and providing for an income tax credit relating thereto; income tax credits; adoption; expenses related to living organ donations; amending K.S.A. 79-3220 and K.S.A. 2007 Supp. 75-5151 and 79-32,202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 51; Nays 74; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Bethell, Bowers, Colloton, Colyer, Craft, Crum, Faber, Feuerborn, Fund, George, Goico, Grange, Haylett, Hill, C. Holmes, M. Holmes, Horst, Humerickhouse, Johnson, King, Light, McKinney, McLeland, Metsker, Moxley, Neufeld, O'Neal, Otto, Owens, Pauls, Phelps, Pottorff, Powell, Proehl, Roth, Schroeder, Schwartz, Shultz, Siegfried, Sloan, Spalding, Swanson, Tafanelli, Vickrey, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Ballard, Beamer, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Crow, Dahl, Davis, Dillmore, Donohoe, Faust-Goudeau, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Gordon, Goyle, Grant, Hawk, Henderson, Henry, Hodge, Holland, Huebert, Huntington, Kelley, Kelsey, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, Loganbill, Long, Lukert, Mah, Mast, Masterson, McCray-Miller, McLachlan, Menghini, Merrick, Jim Morrison, Judy Morrison, Myers, Neighbor, Olson, Palmer, Patton, Peck, Peterson, Powers, Quigley, Rardin, Rhoades, Ruff, Ruiz, Sawyer, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Watkins, Wetta, Williams, Winn.

Present but not voting: None.
Absent or not voting: None.
The bill did not pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: My constituents are ratepayers in the Westar service area. I cannot support a selectively applied carbon tax that would result in higher utility bills for those I represent.

There is a way to make Kansas greener without punishing ratepayers in certain parts of the state while rewarding selected utility companies. I vote no on **SB 471**.—PAUL DAVIS

MR. SPEAKER: I vote on **SB 471**. I cannot support legislation that would serve to cause a large rate increase for many Kansans and also initiates taxes on power. This issue must be handled at the Federal level. Kansas should not be the first state to level a tax of this kind, regardless of the offset in credits. This is bad policy that will create a negative precedent.—ROB OLSON, RAY MERRICK, KASHA KELLEY

MR. SPEAKER: The Kansas Legislature has created a truly innovative incentive for electric utilities to reduce emissions from their coal-fired generation units and/or to mitigate those emissions with renewable energy. To say 'No' to new, more efficient and lower polluting coal-fired plants without addressing existing emission levels is unreasonable. **SB 471** creates a powerful incentive for utilities to act and addresses what most people in Kansas claim to want - reducing levels of carbon dioxide and other greenhouse gases that are emitted from coal-fired power plants. I vote aye on **SB 471**.—TOM SLOAN, KENNY WILK

MR. SPEAKER: The Aurand amendment, which is now a part of this bill, included the words "tax," "taxable," and "taxpayer" 38 times in its brief four pages. Despite how innocuous you believe this amendment might be, when policymakers across the United States map each state, Kansas will be shown as the first state to pass a carbon tax. A recognition of carbon's deleterious effects should not be lightly considered, and we would do well to have hearings on such a major policy shift. I vote "no" on **SB 471**.—JOSH SVATY, NILE DILLMORE, HAROLD LANE

MR. SPEAKER: Opponents of the Holcomb expansion promote renewable energy sources instead of coal, however, renewables have a higher cost. To equalize rates, a carbon tax is always mentioned. Today, those opponents admitted that a carbon tax would significantly raise electric rates. If the Federal Government determines that a carbon tax is appropriate, the public needs to be informed of the total cost they will experience. This bill provided a reward for the reduction of carbon by establishing a penalty for above average emissions. Mr. Speaker, I vote yes on **SB 471** because the discussion about future energy sources must also include the actual cost to the consumer.—DEENA HORST, MARIO GOICO

MR. SPEAKER: I truly believe no Kansas citizen wouldn't wish for cleaner air now and especially in the future. The penalty for current coal fired plants that was proposed and amended into **SB 471**, would have encouraged cleaner air from all new energy production and would have penalized current power plants who emit too much CO2. Isn't this the best of both worlds? And oh by the way, what is too much CO2? Once the possibility of higher rates for dirtier coal energy comes into the picture, cleaner coal energy goes up the proverbial smokestack. At what point will citizens agree to share the cost of making Kansas air as clean as possible? I vote yes on **SB 471**.—ROCKY FUND

Sub. SB 485, An act concerning certain municipalities; relating to construction of buildings; amending K.S.A. 19-214 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, 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, McCray-Miller, 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, Svaty, Swanson, Swen-

son, Tafanelli, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Winn.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

SB 524. An act concerning corrections; relating to fee expenditure; creating the department of corrections victim assistance fund; amending K.S.A. 75-52,139 and K.S.A. 2007 Supp. 75- 5211 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, 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, McCray-Miller, 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, 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: None.

The bill passed.

SB 531. An act concerning school districts; relating to consolidation; relating to school finance; making appropriations for the department of education for the fiscal years ending June 30, 2009, and June 30, 2010; amending K.S.A. 72-8702 and K.S.A. 2007 Supp. 72-1111, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 29; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, Ballard, Bethell, Bowers, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Crum, Dahl, Davis, Dillmore, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Frownfelter, Fund, Garcia, Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, Horst, Huebert, Johnson, Kelsey, King, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Masterson, McCray-Miller, McKinney, McLachlan, McLeland, Menghini, Moxley, Myers, Neighbor, Neufeld, O'Neal, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Powell, Proehl, Rardin, Rhoades, Roth, Ruff, Ruiz, Sawyer, Schroeder, Schwartz, Shultz, Sloan, Storm, Svaty, Swanson, Swenson, Tietze, Treaster, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Wilk, Williams, Winn, B. Wolf.

Nays: Beamer, Brown, Colloton, Colyer, Donohoe, Hodge, M. Holmes, Humerickhouse, Huntington, Kelley, Kiegerl, Kinzer, Knox, Mast, Merrick, Metsker, Jim Morrison, Judy Morrison, Olson, Owens, Peck, Powers, Quigley, Siegfried, Spalding, Tafanelli, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: We vote no on **SB 531**. This bill does not address the inequities in funding that our schools suffer in Johnson County. A school funding formula that pays some school districts much more than 100% of actual costs while denying adequate funding to others

should be amended. We have for so long argued and voted for more money for all Kansas schools although Johnson County continues to be number 269 out of 298 in per pupil funding. We can no longer support a flawed funding formula.—KAY WOLF, SHERYL SPALDING, TERRIE HUNTINGTON, RON WORLEY, ARLEN SIEGFREID, ANTHONY R. BROWN, KEVIN YODER, JILL QUIGLEY, MIKE KIEGERL, LANCE KINZER, PAT COLLOTON, JEFF COLYER, ROB OLSON, THOMAS C. OWENS, BEN HODGE, RONNIE METSKER, JUDY MORRISON, RAY MERRICK

MR. SPEAKER: While I support extending the current school finance plan beyond three years, the problem with **SB 531** is that it had **SB 620** amended into it by the Education Committee. **SB 620** has a devastating effect on rural areas by putting money in the medicaid recovery rather than on the excess special education costs. It will hurt about 2/3 of the special education co-ops that serve our state, thereby forcing local school districts to take up the slack. We will have other opportunities to extend the current three-year plan without hurting special education in the rural parts of our state. Mr. Speaker, I vote 'no' on **SB 531**.—MITCH HOLMES, PEGGY MAST, KASHA KELLEY

MR. SPEAKER: I know and understand the importance of education, and I support funding public education for Kansas children. In FY '09 the Kansas Legislature will be giving public schools \$920 million *more* than we did just four short years ago. The state's bank account is projected to be overdrawn and in the red in two years. Large spending increases, such as this additional \$37 plus million of increased funding to public schools are something I cannot support. Kansas taxpayers expect their legislature to be smart with their money, not fiscally irresponsible. I vote no on **SB 531**. —VIRGIL PECK JR.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Jim Morrison, the House concurred in Senate amendments to **Sub. HB 2207**. An act concerning emergency proceedings under the Kansas administrative procedure act; relating to nonresident pharmacists and contact lens dispensers through the mail authorizing emergency proceedings against permits and registrations; amending K.S.A. 65-1657 and 65-4967 and K.S.A. 2007 Supp. 65-1627 and repealing the existing sections.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Aurand, 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, McCray-Miller, 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, 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: None.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Colyer, **HR 6025**, A resolution calling upon the members of the Board of Healing Arts to promptly make changes as necessary to ensure that the board effectively fulfills its statutory duties and to restore public confidence in the board's operations and activities, was adopted.

CHANGE OF CONFEREES

Speaker Neufeld announced the appointment of Reps. Faber, Knox and Svaty as members of the conference committee on **S. Sub. for HB 2210** to replace Reps. Myers, Goico and Ruff.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Grange, Committee of the Whole report, as follows, was adopted: Recommended that committee report to **HB 2928** be adopted; also, on motion of Rep. Holland be amended on page 5, in line 16, by striking "first"; Also, on motion of Rep. Huebert to amend **HB 2928**, the motion did not prevail Also, on motion of Rep. Peck to amend **HB 2928**, Rep. Siegfried requested the question be divided. The question was divided.

On Part A of the motion of Rep. Peck to amend **HB 2928**, the motion did not prevail. Also, on Part B of the motion, the motion did not prevail, and the bill be passed as amended.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S. Sub. for HB 2210** and has appointed Senators Taddiken, Pine and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2897** and has appointed Senators Taddiken, Pine and Francisco as conferees on the part of the Senate.

The President announced the appointment of Senator Barone as a member of the conference committee on **H. Sub. for Sub. SB 391** to replace Senator Kelly.

The President announced the appointment of Senator Kelly as a member of the conference committee on **Sub. SB 453** to replace Senator Barone.

On motion of Rep. Merrick, the House recessed until 3:00 p.m.

AFTERNOON SESSION

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

CHANGE OF CONFEREES

Speaker Neufeld announced the appointment of Rep. Feuerborn as a member of the conference committee on **H. Sub. for Sub. SB 309** to replace Rep. Henry.

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

COMMITTEE OF THE WHOLE

On motion of Rep. Grange, Committee of the Whole report, as follows, was adopted: Recommended that **H. Sub. for SB 180** be passed over and retain a place on the calendar.

Committee report to **SB 417** be adopted; also, on motion of Rep. M. Holmes be amended on page 3, in line 13, following "act" by inserting "or such county"; in line 20, preceding "if" by inserting "or such county"; in line 22, following "city" where it appears for the first time by inserting "or county"; also in line 22, following "city" where it appears for the second time by inserting "or county"; in line 25, following "city" by inserting "or county"; in line 27, following "city" by inserting "or county"; in line 30, following "cities" by inserting "or counties"; in line 31, following "Cities" by inserting "or counties"; in line 34, following "city" by inserting "or county"; in line 36, following "city's" by inserting "or county's"; in line 39, following "city" by inserting "or county"; in line 40, by following "city" by inserting "or county"; in line 42, following "city" and inserting "or county";

On page 4, in line 1, following “city” by inserting “or county”; in line 4, following “city” by inserting “or county”; in line 9, following “city” by inserting “or county”; in line 11, following “city” by inserting “or county”; in line 14, following “city” by inserting “or county”; in line 15, following “city’s” by inserting “or county’s”; in line 16, following “city’s” by inserting “or county’s”; in line 22, by following “city” by inserting “or county”; in line 24, following “city” by inserting “or county”; in line 27, following “city” by inserting “or county”; in line 30, following “cities” by inserting “or counties”; in line 40, following “city” by inserting “or county”;

On page 5, in line 32, preceding “For” by inserting “(a)”; On page 6, following line 1, by inserting the following:

“(b) For purposes of sections 4 through 8, and amendments thereto, the term “county” means any county that prior to July 1, 2010, is designated by the United States federal emergency management agency under major disaster declaration FEMA-1711-DR or FEMA-1699, as eligible to receive individual or public assistance from the United States federal government, or designated exempt by the governor pursuant to section 3, and amendments thereto. On or after July 1, 2010, “county” shall mean any county with a population of less than 60,000, as certified to the secretary of state by the director of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto.”;

In the title, in line 15, following “cities” by inserting “and counties”;

Also, on motion of Rep. McKinney, **SB 417** be amended on page 5, in line 40, by striking all following “law”; by striking all in lines 41 through 43;

On page 6, in line 1, by striking all preceding the period;

Also, on motion of Rep. Tafanelli, **SB 417** be amended on page 3, in line 15, by striking “subsections (b), (c) and (d) of K.S.A. 12-5245 and K.S.A. 12-5246.”;

Also, on further motion of Rep. Tafanelli to amend **SB 417**, the motion did not prevail; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2694** be adopted; also, on motion of Rep. Goyle be amended on page 4, after line 20, by inserting the following:

“New Sec. 2. (a) For all taxable years commencing after December 31, 2006, there shall be allowed a tax credit against the income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, in an amount equal to unreimbursed expenditures incurred by a taxpayer or a dependent of the taxpayer not to exceed \$10,000 related to the donation, while living, of one or more human organs of the taxpayer or a dependent of the taxpayer to another person for human organ transplantation. The credit under this section shall only be claimed one time by a taxpayer. The tax credit under this section shall be deducted from the taxpayer’s income tax liability for expenditures incurred in the taxable year in which the organ transplantation occurs. If the amount of the credit exceeds the taxpayer’s income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer. As used in this section, “human organ” means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow.”;

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 10, after the semicolon, by inserting “expenses related to living organ donations.”;

Also, on motion of Rep. Holland, **Sub. HB 2694** be amended on page 4, after line 20, by inserting the following:

“Sec. 2. K.S.A. 2007 Supp. 79-32,202 is hereby amended to read as follows: 79-32,202. (a) For all taxable years commencing after December 31, 2005, and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to: (1) 25% of the amount of the credit allowed against such taxpayer’s federal income tax liability pursuant to section 23 determined without regard to subsection (c) thereof of the federal internal revenue code; (2) in addition to subsection (a)(1), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer was a resident of Kansas prior to such lawful adoption; and (3) and in addition to subsections (a)(1) and (a)(2), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code, and the

child was a resident of Kansas prior to such lawful adoption, for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) For all taxable years commencing after December 31, ~~1996~~ 2003, *in addition to the credit provided in subsection (a)*, there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to \$1,500 for the taxable year in which occurs the lawful adoption of a child in the custody of the secretary of social and rehabilitation services or a child with special needs, whether or not such individual is reimbursed for all or part of qualified adoption expenses or has received a public or private grant therefor. As used in this subsection, terms and phrases shall have the meanings ascribed thereto by the provisions of section 23 of the federal internal revenue code. ~~No credit shall be allowed under subsection (a) for any qualified adoption expenses incurred in the adoption of a child described by this subsection. Notwithstanding any provision of law to the contrary, a taxpayer may file an amended return to claim the credit under this subsection or subsection (a) for taxable years 2004 and 2005, if the taxpayer only claimed the credit under subsection (a) or (b), but not both for such taxable years.~~

(c) The credit allowed by subsections (a) and (b) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credits has been deducted from tax liability.”;

And by renumbering the remaining sections accordingly;

Also on page 4, in line 21, by striking “is” and inserting “and 79-32,202 are”;

On page 1, in the title, in line 10, after the semicolon, by inserting “adoption;”; in line 11, after “79-32,201” by inserting “and 79-32,202”;

Also, on motion of Rep. Kiegerl to amend **Sub. HB 2694**, Rep. Ward requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Brown, **Sub. HB 2694** be amended on page 3, in line 39, by striking all after the comma; by striking all of line 40; in line 42, before the period, by inserting “, except for the purposes of subsection (b), capable of operating on at least 20% ethanol fuel blend”;

Also, on motion of Rep. Moxley to rerefer the bill to Committee on Taxation, the motion did not prevail, and **Sub. HB 2694** be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2601** be adopted; also, on motion of Rep. K. Wolf to amend, Rep. Goico requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment germane. The question reverted back to the motion of Rep. K. Wolf and **Sub. HB 2601** be amended on page 2, following line 12, by inserting the following:

“New Sec. 4. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization which provides coverage for accident and health services and which is delivered, issued for delivery, amended or renewed on or after January 1, 2009, also, shall provide coverage for all colorectal cancer examinations and laboratory tests specified in current American cancer society guidelines for colorectal cancer screening of asymptomatic individuals. Coverage or benefits shall be provided for all such colorectal screening examinations and tests that are administered at a frequency identified in the current American cancer society guidelines for colorectal cancer. The coverage required under this section must meet the requirements set forth in paragraph (b). Benefits shall be provided under this section for a covered individual who is:

- (1) At least 50 years of age; or
- (2) less than 50 years of age and at high risk for colorectal cancer according to current colorectal cancer screening guidelines of the American cancer society.

(b) To encourage colorectal cancer screening, patients and health care providers shall not be required to meet burdensome criteria or overcome significant obstacles to secure such coverage. No individual shall be required to pay an additional deductible or coinsurance for

testing that is greater than an annual deductible or coinsurance established for similar benefits. If the program or contract does not cover a similar benefit, a deductible or coinsurance may not be set at a level that materially diminishes the value of the colorectal cancer benefit required. Reimbursement to health care providers for colorectal cancer screening provided under this section shall be equal to or greater than reimbursement to health care providers provided under title XVII of the social security act.

(c) The coverage required by this section shall be subject to the same annual deductibles, copayments or coinsurance limits as established for all other covered benefits under the individual or group policy of accident and sickness insurance referred to in subsection (a).

(d) The provisions of this section shall apply to the state health care benefits program and municipal self-funded pools.

New Sec. 5. The provisions of section 4, and amendments thereto, shall not apply to any policy or certificate which provides coverage for any specified disease, specified accident or accident only coverage, credit, dental, disability income, hospital indemnity, long-term care insurance as defined by K.S.A. 40-2227, and amendments thereto, vision care or any other limited supplemental benefit nor to any medicare supplement policy of insurance as defined by the commissioner of insurance by rule and regulation, any coverage issued as a supplement to liability insurance, workers' compensation or similar insurance, automobile medical-payment insurance or any insurance under which benefits are payable with or without regard to fault, whether written on a group, blanket or individual basis.”;

And by renumbering the remaining sections accordingly;

Also on page 2, in line 17, by striking “and section 3” and inserting “, section 3 and section 4”; in line 36, by striking “and section 3” and inserting “, section 3 and section 4”;

In the title, in line 10, preceding “amending” by inserting “providing coverage for colorectal cancer screening;”;

Also, on motion of Rep. Gordon to amend **Sub. HB 2601**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Dillmore to amend **Sub. HB 2601** on page 3, following line 2, by inserting the following:

“Sec. 6. K.S.A. 40-2248 is hereby amended to read as follows: 40-2248. Prior to the legislature’s consideration of any bill that mandates health insurance coverage for specific health services, specific diseases, or for certain providers of health care services as part of individual, group or blanket health insurance policies, the person or organization which seeks sponsorship of such proposal shall *request the Kansas legislature to direct the Kansas health policy authority to conduct a study of such proposal and determine the social and financial effects of the proposed mandated coverage. The Kansas health policy authority shall conduct such study and shall* submit to the legislative committees to which the proposal is assigned an impact report that assesses both the social and financial effects of the proposed mandated coverage. For purposes of this act, mandated health insurance coverage shall include mandated optional benefits. ~~It shall be the duty of~~ The commissioner of insurance ~~to shall~~ cooperate with, assist and provide information to ~~any person or organization required to submit an aid the Kansas health policy authority in developing the impact report under the provisions of this act.~~

Sec. 7. K.S.A. 40-2249 is hereby amended to read as follows: 40-2249. ~~The report required under K.S.A. 40-2248 for~~ *Kansas health policy authority shall* in assessing the impact of a proposed mandate of health coverage ~~shall~~, include at the minimum and to the extent that information is available, the following *in the report required under K.S.A. 40-2248, and amendments thereto:*

- (a) The social impact, including:
- (1) The extent to which the treatment or service is generally utilized by a significant portion of the population;
 - (2) the extent to which such insurance coverage is already generally available;
 - (3) if coverage is not generally available, the extent to which the lack of coverage results in persons being unable to obtain necessary health care treatment;
 - (4) if the coverage is not generally available, the extent to which the lack of coverage results in unreasonable financial hardship on those persons needing treatment;
 - (5) the level of public demand for the treatment or service;

(6) the level of public demand for individual or group insurance coverage of the treatment or service;

(7) the level of interest of collective bargaining organizations in negotiating privately for inclusion of this coverage in group contracts; and

(8) the impact of indirect costs which are costs other than premiums and administrative costs, on the question of the costs and benefits of coverage.

(b) The financial impact, including:

(1) The extent to which insurance coverage of the kind proposed would increase or decrease the cost of the treatment or service;

(2) the extent to which the proposed coverage might increase the use of the treatment or service;

(3) the extent to which the mandated treatment or service might serve as an alternative for more expensive treatment or service;

(4) the extent to which insurance coverage of the health care service or provider can be reasonably expected to increase or decrease the insurance premium and administrative expenses of policyholders; and

(5) the impact of this coverage on the total cost of health care.”;

And by renumbering the remaining sections accordingly;

Also on page 3, in line 3, preceding “2007” by inserting “40-2248 and 40-2249 and K.S.A.”;

In the title, in line 10, preceding “amending” by inserting “directing the Kansas health policy authority to conduct studies for proposed mandated coverages;”; also in line 10, preceding “2007” by inserting “40-2248 and 40-2249 and K.S.A.”;

On roll call, the vote was: Yeas 59; Nays 54; Present but not voting: 0; Absent or not voting: 12.

Yeas: Ballard, Brown, Burgess, Burroughs, Carlin, Crow, Davis, Dillmore, Faust-Goudeau, Flaharty, Flora, Frownfelter, Garcia, Gatewood, Gordon, Goyle, Grant, Hawk, Henderson, Hill, Holland, Horst, Kelley, King, Kuether, Lane, Loganbill, Long, Lukert, Mah, Masterson, McCray-Miller, McKinney, McLachlan, Menghini, Neighbor, Palmer, Pauls, Peck, Phelps, Quigley, Rardin, Roth, Ruff, Sawyer, Schroeder, Shultz, Sloan, Storm, Svaty, Swenson, Tietze, Treaster, Trimmer, Ward, Watkins, Wetta, Williams, Winn.

Nays: Aurand, Beamer, Bowers, Carlson, Colloton, Craft, Crum, Dahl, Donohoe, Faber, Fund, George, Goico, Grange, Hodge, C. Holmes, M. Holmes, Huebert, Humerickhouse, Huntington, Johnson, Kelsey, Kiegerl, Kinzer, Knox, Light, Mast, McLeland, Merrick, Metsker, Jim Morrison, Judy Morrison, Moxley, Myers, Neufeld, O’Neal, Olson, Otto, Patton, Pottorff, Powell, Powers, Proehl, Rhoades, Siegfried, Spalding, Swanson, Vickrey, Whitham, Wilk, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Bethell, Brunk, Colyer, Feuerborn, Hayzlett, Henry, Landwehr, Owens, Peterson, Ruiz, Schwartz, Tafanelli.

The motion of Rep. Dillmore prevailed.

Also, on motion of Rep. Kiegerl to amend **Sub. HB 2601**, the motion did not prevail.

Also, on motion of Rep. Shultz to amend **Sub. HB 2601**, Rep. Humerickhouse requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment not germane.

Also, on motion of Rep. Peck to refer **Sub. HB 2601** to Committee on Insurance and Financial Institutions, the motion did not prevail.

Also, on motion of Rep. Swenson to amend **Sub. HB 2601**, the motion did not prevail, and the substitute bill be passed as amended.

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 introduced and read by title:

HB 2993, An act concerning animals; abolishing the animal health department; creating the animal health division within the department of agriculture; transferring certain powers and duties of the livestock commissioner and the animal health department of the Kansas

department of agriculture; amending K.S.A. 2-909, 32-951, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1001e, 47-1501, 47-1506, 47-1511, 47-1701, 47-1702, 47-1703, 47-1704, 47-1712, 47-1713, 47-1715, 47-1719, 47-1720, 47-1723, 47-1725, 47-1727, 47-1731, 47-1735, 47-1804, 47-1808, 47-1832, 65-171i, 66-1319, 75-1901 and 75-1903 and K.S.A. 2007 Supp. 2-907, 47-417a, 47-437, 47-611, 47-612, 47-615, 47-624, 47-672, 47-674, 47-816, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1307, 47-1503, 47-1706, 47-1706a, 47-1707, 47-1709, 47-1721, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721 and 75-37,121 and repealing the existing sections; also repealing K.S.A. 74-4002 and 75-3142 and K.S.A. 2007 Supp. 74-4001, 74-4003 and 75-3141, 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. 6026—

By Representatives Neufeld and McKinney

A RESOLUTION honoring Arden K. Ensley.

WHEREAS, Arden K. Ensley served as Revisor of Statutes from 1979 to 1989, and served more than 38 years in the Office of Revisor of Statutes, and provided invaluable and dedicated service to the Kansas Legislature; and

WHEREAS, Arden Ensley was born on September 25, 1927, the son of Daniel D. and Sarah Henderson Ensley. He grew up in Columbus and Hepler, Kansas, where he graduated from high school in 1945; and

WHEREAS, Arden Ensley served in the United States Army and spent time as part of the occupation forces in Germany and Hungary following World War II; and

WHEREAS, Arden Ensley earned a Bachelor of Science degree from Kansas State University in 1952, and a law degree from Washburn University Law School in 1954; and

WHEREAS, Arden Ensley married Rita Knisel on October 2, 1954, in Topeka. They were blessed with four children and six grandchildren. Arden was a beloved husband, father and grandfather, and deeply loved his family; and

WHEREAS, Arden Ensley's long-standing interest in the area of local government law began when he took a job with the League of Kansas Municipalities in 1956. As a staff attorney and later as general counsel for the League, he was deeply involved in the drafting of the city Home Rule Amendment to the Kansas Constitution; and

WHEREAS, Arden Ensley began working in the Office of Revisor of Statutes in 1965 on a full-time basis as a Second Assistant Revisor, was appointed First Assistant Revisor in 1974 and was appointed Revisor of Statutes by the Legislative Coordinating Council on July 18, 1979; and

WHEREAS, As Revisor of Statutes, Arden Ensley provided leadership to his staff to enable them to provide to the Legislature of the State of Kansas the highest quality bill drafting services and legal consultation. His legal opinions were well respected and relied on by legislative members because of his consistent, accurate and nonpartisan approach to meeting needs of this institution; and

WHEREAS, Arden Ensley was responsible for editing the Kansas Statutes Annotated for many years, and is remembered for his conscientious attention to details and the high standards he maintained in the preparation and publication of the laws of the State of Kansas; and

WHEREAS, Over the years, attorneys in the Office of Revisor of Statutes developed their skills under his tutelage and owe their success and legal development to his legal and drafting expertise and his willingness to share his knowledge and experience with those he supervised; and

WHEREAS, Everyone who had contact with Arden Ensley appreciated his exceptional work ethic, patience, compassion, leadership, calmness, fairness, optimism and sense of humor but most of all his willingness to genuinely listen to anyone who needed to talk with him whether it was of a professional or personal nature; and

WHEREAS, Arden Ensley possessed significant legal knowledge and expertise in virtually all areas of law in which the Office of Revisor of Statutes provided drafting and legal services but was most recognized for his incomparable knowledge and command of the Constitution of the State of Kansas as the preeminent resource on that document in the Statehouse; and

WHEREAS, Although Arden K. Ensley is not physically present in the Statehouse, his influence and legacy remain ever present as a source of guidance for all: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor Arden K. Ensley for his many years of dedicated service to the Office of Revisor of Statutes, the Kansas Legislature and the State of Kansas; and

Be it further resolved: That the Chief Clerk of the House or Representatives be directed to provide ten enrolled copies of this resolution to Mrs. Rita Ensley.

CHANGE OF CONFEREES

Speaker Neufeld announced the appointment of Rep. Ruff as a member of the conference committee on **SB 46** to replace Rep. Peterson.

CHANGE OF REFERENCE

Speaker Neufeld announced the withdrawal of **HB 2895** from Committee on Appropriations and referral to Committee on Taxation.

REPORT ON ENGROSSED BILLS

Sub. HB 2207; HB 2928, HB 2978 reported correctly engrossed April 1, 2008.

REPORT ON ENROLLED RESOLUTIONS

HR 6022 reported correctly enrolled and properly signed on April 1, 2008.

On motion of Rep. Merrick, the House adjourned until 9:00 a.m., Wednesday, April 2, 2008.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

