

# Journal of the House

## ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 27, 2009, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.  
The roll was called with 123 members present.  
Rep. Quigley was excused on verified illness.  
Rep. Kelley was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,  
As we watch the nightly news,  
it is no secret that these are rough times economically,  
nationally and statewide.  
We, as a body, have the privilege and responsibility of  
finding and implementing solutions  
for the problems of this state.  
Unfortunately, it isn't as easy as  
Wendy's 3economics or even  
pushing the Staple's EASY button.  
Thus, we desperately need to hear your voice  
in the midst of all the voices giving opinions.  
Give us wisdom — give us direction —  
and give us the strength to not only make  
tough decisions, but be willing  
to personally model those decisions ourselves.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hermanson.

### PERSONAL PRIVILEGE

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

Two years ago, I had the privilege of introducing my first child, Amelie, to the Kansas House. Today, I am honored to introduce my son, Alec Riley King, to the body. With me today are my wife, Kimberly, daughter, Amelie, and my 6-month old son, Alec.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2090**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; affiliation by county for county detention officers; normal retirement date; costs, by Joint Committee on Pensions, Investments and Benefits.

**HB 2091**, An act relating to manufactured housing; concerning modular homes; amending K.S.A. 58-4203 and repealing the existing section, by Committee on Financial Institutions.

**HB 2092**, An act relating to real property; prohibiting certain transfer fee covenants, by Committee on Financial Institutions.

**HB 2093**, An act making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing; amending K.S.A. 2008 Supp. 55-193, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-4801 and 82a- 953a and repealing the existing sections, by Committee on Appropriations.

**HB 2094**, An act making and concerning appropriations for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, and June 30, 2014, for the department on aging, the department of social and rehabilitation services and the department of health and environment — division of health; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Appropriations.

**HB 2095**, An act concerning school districts; relating to school finance; relating to the powers and duties of school boards; amending K.S.A. 2008 Supp. 10-1116a, 72-6433, 72-8801 and 72-8814 and repealing the existing sections; also repealing K.S.A. 2008 Supp. 72-6433c, by Committee on Appropriations.

**HB 2096**, An act concerning crimes and punishment; relating to electronic solicitation; amending K.S.A. 21-3523 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2097**, An act concerning criminal procedure; relating to jury selection; alternate or additional jurors; amending K.S.A. 22-3412 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2098**, An act concerning crimes, punishment and criminal procedure; relating to sexual offenses; amending K.S.A. 21-3525 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2099**, An act concerning criminal procedure; relating to withdrawal of guilty pleas; amending K.S.A. 22-3210 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2100**, An act concerning crimes and punishment; relating to unlawful sexual relations; amending K.S.A. 21-3520 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2101**, An act concerning school districts; relating to school finance; relating to supplemental general state aid; amending K.S.A. 2008 Supp. 72-6434 and repealing the existing section, by Committee on Education.

**HB 2102**, An act concerning school districts; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 2008 Supp. 72-1046b and repealing the existing section, by Representative Aurand.

**HB 2103**, An act concerning school districts; relating to school finance; amending K.S.A. 2008 Supp. 72-6412 and repealing the existing section, by Committee on Education.

**HB 2104**, An act concerning school districts; relating to school finance; amending K.S.A. 2008 Supp. 72-6412, 72-6455 and 72-6459 and repealing the existing sections, by Committee on Education.

**HB 2105**, An act concerning school districts; relating to contracts of employment; amending K.S.A. 72-5452 and K.S.A. 2008 Supp. 72-5437 and repealing the existing sections, by Committee on Education.

**HB 2106**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; amending K.S.A. 2008 Supp. 74-4914 and repealing the existing section, by Committee on Higher Education.

**HB 2107**, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation of adjutant general; membership of certain firefighters; contributions, by Committee on Higher Education.

**HB 2108**, An act concerning income taxation; relating to credits; education expenses, by Committee on Higher Education.

**HB 2109**, An act concerning health care; enacting the Kansas uniform health care decisions act; amending K.S.A. 39-1401, 40-2130 and 65-1734 and K.S.A. 2008 Supp. 58-654, 59-3075, 65-2837 and 65-4974 and repealing the existing sections; also repealing K.S.A. 58-

625, 58-626, 58-627, 58-628, 58-629, 58-630, 58-631, 58-632, 65-28,101, 65-28,102, 65-28,103, 65-28,104, 65-28,105, 65-28,106, 65-28,108, 65-28,109, 65-4941, 65-4942, 65-4943, 65-4944, 65-4945, 65-4946, 65-4947 and 65-4948 and K.S.A. 2008 Supp. 65-28,107, by Committee on Judiciary.

**HB 2110**, An act concerning civil procedure; relating to property damage amount; amending K.S.A. 60-2006 and repealing the existing section, by Committee on Judiciary.

**HB 2111**, An act concerning the Kansas commission on judicial performance; relating to sunset provisions; amending K.S.A. 20-3201 and K.S.A. 2008 Supp. 20-367, 28-172a, 59-104, 60-1621, 60-2001, 61-2704 and 61-4001 and repealing the existing sections, by Committee on Judiciary.

**HB 2112**, An act concerning consumer protection; amending K.S.A. 50-623, 50-624, 50-634 and 50-636 and repealing the existing sections, by Committee on Judiciary.

**HB 2113**, An act concerning crimes and punishment; relating to certain crimes against court services officers; amending K.S.A. 21-3409, 21-3411, 21-3413 and 21-3415 and K.S.A. 2008 Supp. 21-3110 and 75-5133 and repealing the existing sections, by Committee on Judiciary.

**HB 2114**, An act amending the uniform commercial code; concerning the payment of presented checks; amending K.S.A. 84-4-404 and repealing the existing section, by Committee on Financial Institutions.

**HB 2115**, An act repealing K.S.A. 21-4211, relating to interference with an emergency call, by Committee on Energy and Utilities.

**HB 2116**, An act concerning utilities; relating to base load projections and energy efficiency and load management programs, by Committee on Energy and Utilities.

**HB 2117**, An act concerning utilities; establishing a retail tariff for wind generation, by Committee on Energy and Utilities.

**HB 2118**, An act concerning social workers; social worker safety training; amending K.S.A. 2008 Supp. 65-6313 and repealing the existing section, by Committee on Health and Human Services.

**HB 2119**, An act relating to taxation; imposing a special tax on wages paid by certain employers; concerning procedures relating thereto, by Representative Otto.

**HB 2120**, An act concerning tourism; creating the Kansas tourism corporation and providing for the powers and duties thereof; transferring the powers and duties of the division of travel and tourism development to the Kansas tourism corporation; providing for tourism development and funding; amending K.S.A. 73-2103 and K.S.A. 2008 Supp. 73-2402, 73-2404, 74-5005 and 79-3620 and repealing the existing sections; also repealing K.S.A. 74-5032, 74-5032a and 74-5090 and K.S.A. 2008 Supp. 74-5089, 74-5091, 74-9001, 74-9002, 74-9003, 74-9004 and 74-9005, by Committee on Economic Development and Tourism.

**HB 2121**, An act concerning agriculture; relating to pesticide and fertilizer programs of the department of agriculture; concerning fees for such programs; definitions; amending K.S.A. 2-2203, 2-2205, 2-2206, 2-2207, 2-2209, 2-2214, 2-2440a, 2-2440c, 2-2440e, 2-2446, 2-2449, 2-2450, 2-2454, 2-2455, 2-2470 and 2-2471 and K.S.A. 2008 Supp. 2-1205, 2-2202, 2-2204, 2-2438a, 2-2440, 2-2440b, 2-2441a, 2-2443a, 2-2445a, 2-2469, 2-2905, 2-2906, 2-3304, 2-3306 and 2-3309 and repealing the existing sections; also repealing K.S.A. 2-1211 and 2-2466, by Committee on Agriculture and Natural Resources.

**HB 2122**, An act concerning the highway advertising control act; amending K.S.A. 2008 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections, by Representative Otto.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2080**, **HB 2081**.

Elections: **HB 2077**.

Federal and State Affairs: **HB 2076**.

Insurance: **HB 2075**, **HB 2087**, **HB 2088**, **HB 2089**.

Judiciary: **HB 2082**.

Local Government: **HB 2083**, **HB 2084**.

Taxation: **HB 2078, HB 2079.**

Veterans, Military and Homeland Security: **HB 2085, HB 2086.**

**COMMUNICATIONS FROM STATE OFFICERS**

From Kent E. Olson, Director, Division of Accounts and Reports, Kansas Department of Administration, Comprehensive Annual financial Report, July 1, 2007 to June 30, 2008.

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

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Wednesday, January 28, 2009.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

