

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 20, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.

Prayer by Chaplain Brubaker:

Dear Lord,
Your Word tells us that
"where there is no vision, the people perish."
To begin a course with no vision,
is to wander aimlessly with no purpose.
So we ask for Your vision
for the issues we will address
over the next few weeks.
Give us the capacity to see Your vision,
faith to believe in Your vision,
and courage to march forward with resolve
to accomplish what You deem best.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Winn.

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, RON THORNBURGH, Secretary of the State of Kansas, do hereby certify that Melanie Meier, Leavenworth, Kansas, was appointed by the Governor effective January 20, 2010, for the unexpired term of State Representative for the 40th Legislative District, to fill the vacancy created by the resignation of Donald Navinsky.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 20th day of January, A.D. 2010.

RON THORNBURGH
Secretary of State

OATH OF OFFICE

Representative-elect Melanie Meier came forward and took and subscribed to the following oath of office, which was administered by Chief Justice Robert E. Davis.

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of representative of the State of Kansas, so help me God.

Subscribed and sworn to before me this 20th day of January, 2010.

ROBERT E. DAVIS
Chief Justice of the Supreme Court

The roll was called with 121 members present.
 Reps. Donohoe and Trimmer were excused on verified illness.
 Reps. Grange and Schwab were excused on excused absence by the Speaker.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2479, An act concerning cities; relating to changes in the form of government, by Representative Otto.

HB 2480, An act concerning certain public employees; relating to leave of absences; disaster service volunteers; amending K.S.A. 75-5548 and repealing the existing section, by Representative S. Gatewood.

HB 2481, An act relating to motor vehicles; concerning personalized license plates; amending K.S.A. 2009 Supp. 8-132 and 8-133 and repealing the existing sections, by Committee on Transportation.

HB 2482, An act relating to drivers' licenses; concerning the expiration and renewal thereof; amending K.S.A. 2009 Supp. 8-247 and repealing the existing section, by Committee on Transportation.

HB 2483, An act relating to drivers' licenses; concerning requirements for restricted driver's license; amending K.S.A. 2009 Supp. 8-2,101 and repealing the existing section, by Committee on Transportation.

HB 2484, An act relating to commercial driver's licenses; concerning diversion agreements; amending K.S.A. 2009 Supp. 8-2,150 and repealing the existing section, by Committee on Transportation.

HB 2485, An act relating to motor carriers; increasing time period for verification of compliance with certain requirements; amending K.S.A. 2009 Supp. 66-1,114 and 66-1,114b and repealing the existing sections, by Committee on Transportation.

HB 2486, An act regulating traffic; concerning school buses; amending K.S.A. 8-2009a and repealing the existing section, by Committee on Transportation.

HB 2487, An act concerning land use; relating to military installations and adjacent areas, by Committee on Local Government.

HB 2488, An act concerning state agencies and political subdivisions; relating to facility energy conservation; amending K.S.A. 2009 Supp. 75-37,125 and repealing the existing section, by Committee on Local Government.

HB 2489, An act concerning crimes, criminal procedure and punishment; relating to the violation of parole, probation or other postrelease supervision term by a defendant; amending K.S.A. 22-3716 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2490, An act concerning insurance; relating to life insurance companies; amending K.S.A. 40-401 and repealing the existing section, by Committee on Insurance.

HB 2491, An act concerning insurance; relating to health insurance and creditable coverage plans; amending K.S.A. 2009 Supp. 40-2118 and repealing the existing section, by Committee on Insurance.

HB 2492, An act relating to insurance; concerning motor vehicle liability insurance coverage; amending K.S.A. 2009 Supp. 40-3104 and repealing the existing section, by Committee on Insurance.

HB 2493, An act repealing K.S.A. 2009 Supp. 82a-303b; relating to classifications of dams and water obstructions, by Committee on Appropriations.

HB 2494, An act concerning children in need of care; relating to removal of child from parent's custody; amending K.S.A. 2009 Supp. 38-2255 and 38-2269 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2468**, **HB 2469**.

Financial Institutions: **HB 2473**.

Insurance: **HB 2474**.

Judiciary: **HB 2472, HB 2476.**
 Local Government: **HB 2470, HB 2471, HB 2478.**
 Taxation: **HB 2475.**
 Education Budget: **HB 2477.**

COMMUNICATIONS FROM STATE OFFICERS

From the office of Governor Mark Parkinson, 2009 Annual Report of the Wireless Enhanced 911 Program.

From Robert Sanders, Chairman, Kansas Parole Board, pursuant to K.S.A. 22-3710, Annual Report for FY 2009.

From Kansas, Inc., County Economic Vitality and Distress, 2008 Report Update, August 2009.

From Stan Ahlerich, President, Kansas, Inc., 2009 Annual Report.

From Gary Alexander, Vice President of Academic Affairs, Kansas Board of Regents, pursuant to K.S.A. 76-717, annual report on the Implementation of Qualified Admissions.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Phelps, **HR 6007**, by Reps. Phelps and Johnson, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6007—

A RESOLUTION congratulating and commending the pioneer class of the Kansas Academy of Mathematics and Science.

WHEREAS, The Legislature of the state of Kansas enacted legislation in 2006 authorizing the establishment of the Kansas Academy of Mathematics and Science to promote mathematics and science education, increase retention of intellectual capital, and promote economic development; and

WHEREAS, The Legislature of the state of Kansas approved five years of funding for the Kansas Academy of Mathematics and Science in 2008; and

WHEREAS, Fort Hays State University is a forward-thinking liberal and applied arts university, and is recognized internationally for offering more than 60 degrees in a technology-rich environment. Fort Hays State University aggressively seeks innovative solutions to meet the educational needs of Kansans and enhance the economic future of the state; and

WHEREAS, The State Board of Regents selected Fort Hays State University as the site to host the Kansas Academy of Mathematics and Science in 2007; and

WHEREAS, Fort Hays State University established the Kansas Academy of Mathematics and Science allowing Kansas to become the sixteenth state in the country with an academic early-entry-to-college program offering a unique residential learning experience for high achieving high school juniors and seniors who are academically talented in science and mathematics; and

WHEREAS, The Kansas Academy of Mathematics and Science provides a unique, hands-on rigorous research environment with PhD. faculty that focuses on academics, research, leadership development and civic engagement allowing Fort Hays State University to cultivate future citizen-leaders; and

WHEREAS, Students who graduate from the Kansas Academy of Mathematics and Science will receive a high school diploma and 68 hours of college credit; and

WHEREAS, The pioneer class of the Kansas Academy of Mathematics and Science convened in the fall semester of 2009 with 26 students, representing all four Kansas congressional districts; and

WHEREAS, The pioneer class of the Kansas Academy of Mathematics and Science will graduate in 2011; and

WHEREAS, The members of the pioneer class of the Kansas Academy of Mathematics and Science who will graduate in 2011 are: Kaleb Beough, Salina; Amanda Berckefeldt,

Paola; Leo Budy, Basehor; Emilie Clare, Wichita; Tyler Clark, St. John; Isaac Cook, Olathe; Alexandria Darden, Lansing; Ben Davis, Wichita; Bryant Davis, Wilson; Seth Gooding, Mt. Hope; Alexis Greb-Bonham, Wellington; Whitney Hersh, Topeka; Kassandra Kirk, Hutchinson; Jaeton Martin, Silver Lake; William Morris, Kingman; William Robertson II, Liberal; Carlton E. Savage, Holcomb; Kathryn Schmidt, Atchison; Christian Sellers, Fort Scott; Jennifer Snyder, Kansas City; Bailey Sprickler, Overland Park; Erica Stacey, Great Bend; Mercedes Tanner, Hays and Nicholas Van Swol, Everest: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the members of the pioneer class of the Kansas Academy of Mathematics and Science as they approach graduation and wish them continued success in their academic and personal pursuits and encourage them to use their significant gifts to improve the future of their home state; and

Be it further resolved: That we express gratitude to the educators and support staff of the Kansas Academy of Mathematics and Science who, through their dedication and commitment to excellence in education in the fields of mathematics and science, have brought this program to fruition through the success of the pioneer class. The efforts of the educators and support staff of the Kansas Academy of Mathematics and Science are helping to forge the future for the state of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide 24 enrolled copies of this resolution to Ron Keller, the Director of the Kansas Academy of Mathematics and Science, for forwarding to each of the 2011 graduates of the Kansas Academy of Mathematics and Science plus 10 copies for the Director of the Kansas Academy of Mathematics and Science.

There being no objection, the following remarks by Reps. Phelps and Johnson are spread upon the journal:

Remarks by Rep. Phelps:

As a result of the passage of **SB 139**, the Kansas State Legislature established the Kansas Academy of Mathematics and Science (KAMS) in 2006 to promote mathematics and science education, increase retention of intellectual capital, and promote economic development.

In 2007, The Kansas Board of Regents selected Fort Hays State University to host the academy.

The two-year early-entry to college program is designed to offer the state's brightest and most talented high school juniors and seniors who excel in mathematics and science an exceptional academic experience.

Remarks by Rep. Johnson:

Fort Hays State University was the 16th academy established in the United States. The current class of KAMS, consists of twenty-four students from twenty-four high schools across Kansas and covers all four Kansas congressional districts.

KAMS focuses on academics, research, leadership development, and civic engagement allowing FHSU to cultivate citizen leaders. KAMS students, upon completion of the program, receive a high school diploma and 68 hours of college credit.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6008—

By Representatives George and Henry

A RESOLUTION congratulating Benedictine College for its 152 years of service to the people of Kansas.

WHEREAS, Benedictine College, located in Atchison, Kansas, is one of the oldest colleges in Kansas, founded in 1858 and it recently celebrated its sesquicentennial; and

WHEREAS, Benedictine College was renamed in 1971 as a result of the merger of St. Benedict's College for men founded in 1858 and Mount St. Scholastica College for women founded in 1923; and

WHEREAS, Benedictine College, (Mount St. Scholastica College) is the alma mater of 2004 Nobel Peace Prize winner Wangari Maathai, Class of 1964; and

WHEREAS, Benedictine College has achieved the highest undergraduate enrollment in its history at 1, 430 full-time students; and

WHEREAS, Benedictine College has brought two national championships back to the state of Kansas, the 1954 and 1967 NAIA National Basketball Championships; and

WHEREAS, Benedictine College has been named one of the top Catholic colleges in America by the Newman Guide to Choosing a Catholic College; and

WHEREAS, Benedictine College has been named to the first tier of America's Best Colleges by U.S. News & World Report; and

WHEREAS, Benedictine College was named a leader in educational excellence in the book, Colleges of Distinction; and

WHEREAS, Benedictine College is one of only 82 colleges nationwide to be named a McGowan Scholar School; and

WHEREAS, Benedictine College was named a best buy in faithfulness and affordability by the Center for the Study of Catholic Higher Education; and

WHEREAS, The Benedictine Education Department received an exemplary rating and was nationally recognized by the National Council for the Accreditation of Teacher Education; and

WHEREAS, Benedictine College is home to the Discovery Program, a dynamic experiential learning program that fosters student research beyond the classroom; and

WHEREAS, Natural science majors at Benedictine College continue on to graduate and professional schools at nearly twice the national average; and

WHEREAS, Benedictine College athletes are consistently honored for their academics and sportsmanship; and

WHEREAS, The Benedictine College Chamber Singers, a select choir, has traveled to Italy many times, singing from Venice to Rome and performing for the Pope; and

WHEREAS, Benedictine College is one of the few Catholic liberal arts schools in the country to offer an engineering program and multiple engineering majors: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Benedictine College for its outstanding service to the people of Kansas for providing excellence in higher education for over 152 years.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Powell, the House nonconcurrent in Senate amendments to **HB 2283** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Fund and Lukert as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to House Rule 2306, **HB 2400** was withdrawn from the calendar under the heading General Orders, and rereferred to Select Committee on KPERS.

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 2495, An act concerning school districts; relating to school finance; relating to certain property tax exemptions; amending K.S.A. 2009 Supp. 79-201x and repealing the existing section, by Committee on Education.

REPORT ON ENROLLED RESOLUTIONS

HCN 5024 reported correctly enrolled and properly signed on January 20, 2010.

JANUARY 20, 2010

821

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, January 21, 2010.

SUSAN W. KANNARR, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

