

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 3, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 114 members present.
Reps. Goico and Johnson was excused on verified illness.
Reps. C. Holmes, O'Brien and Powell were excused on legislative business.
Reps. Ballard, Jack, Meier, Peterson, Proehl and Schwab were excused on excused absence by the Speaker.
Present later: Rep. Meier.

Prayer by Chaplain Brubaker:

Father, God
Today as we discuss and debate bills and resolutions before us,
help us to play well . . . but fair.
Help us to avoid foul play . . .
and always be ready to assist.
Although we desire to drive a point home,
may we never charge into another's view.
Help us to be responsible handlers . . .
in carrying the task set before us.
May we not be selfish . . .
and be willing to pass off when someone else has a better idea.
Help us to be open and honest . . .
with no veiled screens set up.
Allow us to see that the other side can make us strong, but not hostile.
Help us not to be selfish . . . but to work as a team.
If the decision goes our way, help us be happy but not boastful.
If the decision goes against our preference, keep us from being vengeful.
Remind us often that the decisions we make are temporal,
but our actions and words could be eternal.
And as for the big game tonight . . .
as Kansans across the state gather and watch . . .
I pray this same prayer for those playing and coaching . . .
and for everyone of the fans!
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Rardin.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2726, An act providing for assessments on providers of certain home and community-based services; prescribing powers, duties and functions for the Kansas health policy authority; creating the waiver provider fee fund; providing for implementation and administration, by Committee on Federal and State Affairs.

HB 2727, An act concerning the department of revenue; relating to certain drivers' licenses and identification cards; protection of privacy rights, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2725**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2560** from Committee on Federal and State and rereferral to Committee on Commerce and Labor.

Also, the withdrawal of **HB 2616** from Committee on Federal and State Affairs and referral to Committee on Economic Development.

Also, the withdrawal of **HB 2697** from Committee on Federal and State Affairs and referral to Committee on Commerce and Labor.

Also, the withdrawal of **SB 146** from Committee on Appropriations and referral to Select Committee on KPERS.

Also, the withdrawal of **SB 326** from Committee on Appropriations and referral to Committee on General Government Budget.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 62**, requests a conference and has appointed Senators Barnett, V. Schmidt and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H. Sub. for SB 316**, requests a conference and has appointed Senators Taddiken, Ostmeyer and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S. Sub. for HB 2476** and has appointed Senators Owens, D. Schmidt and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **SB 62**.

Speaker O'Neal thereupon appointed Reps. Landwehr, Crum and Flaharty 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 316**.

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Bethell, **HR 6020**. A resolution commemorating March as professional social work month and honoring the hundreds of students who are currently studying to become social workers and will join the more than six thousand social workers practicing in Kansas, was adopted.

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

It is truly a pleasure for me to bring to the attention of this body the tremendous work done for our society by those who we so mildly call "Social Workers."

Our society in so many ways seems to be self serving and self interested yet there are those who willingly serve to benefit those who are less fortunate. Among those are the people that we recognize today. The social workers of our state and society, while, a small group in comparison to the whole of society, take to themselves a massive task.

I would like to introduce those who are with us today: from Kansas State University, Karen Cypress; and from Fort Hays State University, Professor Tim Davis and students from the School of Social Work, Lori L. Dennis, Jamie N. Fulls, Beau B. Hopkins, Brittany

A. Kroeger, Felisa M. Lopez-Guzman, Carmen S. Morales, Pilar L. Quinones, and Cynthia L. Riedel.

Please join me in thanking them and the other members of their class and all the social workers in our state for the work they do for each of us.

CONSENT CALENDAR

Objection was made to **SB 463** appearing on the Consent Calendar; the bill was placed on the calendar under the heading of General Orders.

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 on motion of Rep. Knox to amend **HB 2649**, the motion did not prevail. Also, on motion of Rep. Faber to amend, the motion did not prevail; and the bill be passed.

Committee report to **HB 2544** be adopted; and the bill be passed as amended.

Committee report to **HB 2698** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **SB 345** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 345," as follows:

"HOUSE Substitute for SENATE BILL No. 345

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, punishment and criminal procedure; amending K.S.A. 9-2012, 16-305, 17-12a508, 17-1311a, 19-3519, 21-3437, 21-3701, 21-3704, 21-3707, 21-3720, 21-3729, 21-3734, 21-3761, 21-3763, 21-3846, 21-3902, 21-3904, 21-3905, 21-3910, 21-4018, 21-4111, 39-720 and K.S.A. 2009 Supp. 39-717, 40-247, 40-2,118, 40-5013, 44-5,125, 44-719, 47-1827, 65-4167, 74-9101 and 75-5291 and repealing the existing sections."; and the substitute bill be passed.

(**H. Sub. for SB 345** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HCR 5032** be 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 2728, An act concerning school districts; relating to the reorganization thereof; amending K.S.A. 75-1124 and K.S.A. 2009 Supp. 72-7536, 72-8253 and 72-8254 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 72-6441, 72-6445a, 72-6451 and 72-6452, by Committee on Appropriations.

REPORT ON ENROLLED BILLS

HB 2221, **HB 2411** reported correctly enrolled, properly signed and presented to the governor on March 2, 2010.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, March 4, 2010.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

