

# Journal of the House

THIRTY-NINTH DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 8, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker pro tem Siegfried in the chair.  
The roll was called with 117 members present.  
Rep. Johnson was excused on verified illness.  
Rep. O'Neal was excused on legislative business.  
Reps. Brookens, Hawk, Olson, Peterson, Trimmer and K. Wolf were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,  
The Prophet Isaiah, gives us Your words  
to help us begin this week.  
"Learn to do right . . .  
seek justice,  
encourage the oppressed.  
Defend the cause of the fatherless,  
plead the case of the widow.  
Come now, let us reason together,  
says the Lord."  
*(Isaiah 1:17 — 18)*  
Decisions made this week  
will affect all these mentioned  
and so many others.  
Remind us daily  
how imperative it is  
that we consider Your insight and reason  
in all that we resolve.  
In the Name of Jesus I pray, Amen.

The Pledge of Allegiance was led by Rep. Hayzlett.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2731**, An act concerning utilities; using natural gas as the preferential fuel; establishing a natural gas energy credits trading program, by Committee on Taxation.

## CHANGE OF REFERENCE

Speaker pro tem Siegfried announced the withdrawal of **HB 2712**, **HB 2713** from Committee on Judiciary and referral to Committee on Local Government.

## MESSAGES FROM THE GOVERNOR

**S. Sub. for HB 2222** approved on March 5, 2010.

**MESSAGE FROM THE SENATE**

Announcing passage of **HB 2676**, as amended.

The President announced the appointment of Senator Lynn as a member of the conference committee on **HB 2476** to replace Senator D. Schmidt.

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

On motion of Rep. Ballard, **HR 6021**, A resolution honoring Representative Ruby Gilbert, was adopted.

Reps. Ballard, Pauls, Grant, Flaharty and Pottorff expressed a few remarks to the members of the House in honor of Ruby Gilbert.

**CONSENT CALENDAR**

No objection was made to **SB 489** appearing on the Consent Calendar for the second day.

**REPORTS OF STANDING COMMITTEES**

Committee on **Commerce and Labor** recommends **SB 425** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 425," as follows:

"HOUSE Substitute for SENATE BILL No. 425

By Committee on Commerce and Labor

"AN ACT concerning employment security law; relating to contribution rates and penalties and interest; amending K.S.A. 2009 Supp. 44-710 and 44-717 and repealing the existing sections."; and the substitute bill be passed.

(**H. Sub. for SB 425** was thereupon introduced and read by title.)

Committee on **General Government Budget** recommends **HB 2691** 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 **Judiciary** recommends **SCR 1615** be amended on page 1, in line 32, by striking "are" and inserting "may be";

On page 2, by striking all in lines 15 through 18 and inserting the following:

"*Be it further resolved:* That all federal legislation which violates the Tenth Amendment by threatening civil or criminal penalties or sanctions or requiring states to pass legislation or lose federal funding be prohibited; and";

Also on page 2, in line 19, after "That" by inserting "the Secretary of State be directed to provide"; in line 21, before "the" where it appears for the last time, by inserting "the Minority Leader of the United States Senate,"; in line 22, by striking all after "Representatives"; by striking all in lines 23; in line 24, by striking all before "and" and inserting "the Minority Leader of the United States House of Representatives"; and the concurrent resolution be adopted as amended.

Committee on **Local Government** recommends **SB 451** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. 6022—

By Representative Hayzlett

A RESOLUTION congratulating and commending Heartland Heroes Hunt.

WHEREAS, Heartland Heroes Hunt provides an opportunity for combat-wounded soldiers and their families to enjoy a weekend of hunting and other family activities in Southwest Kansas; and

WHEREAS, Heartland Heroes Hunt allows the people of Southwest Kansas to show their appreciation to the wounded soldiers and families for their many sacrifices; and

WHEREAS, The 2nd Heartland Heroes Hunt was held January 28-31, 2010, hosting combat-wounded soldiers and their families from Ft. Carson, Colorado; and

WHEREAS, Heartland Heroes Hunt provides the wounded soldiers and their families with lodging, meals and gifts. They also provide the wounded soldiers with all the necessary hunting supplies, including a shotgun, which is the soldier's to keep; and

WHEREAS, Heartland Heroes Hunt was started by MacKenzie Nix as a senior project at Garden City High School; and

WHEREAS, With the help and support of MacKenzie's parents, Tim and Donna Telinde, Brian Beavers' family and the communities of Garden City and Pierceville, Heartland Heroes Hunt has become a weekend of celebration and of healing: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we congratulate and commend Heartland Heroes Hunt, MacKenzie Nix, Tim and Donna Telinde, Brian Beavers' family and the communities of Garden City and Pierceville on providing a positive impact on the lives of the combat-wounded soldiers and their families, who participate in the Heartland Heroes Hunt weekend; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to Representative Gary Hayzlett; 3 enrolled copies to Tim Telinde, 710 Sarah St., Garden City, KS 67846 and 4 enrolled copies to Brian Beavers, 01806 East U.S. Highway 50, Pierceville, KS 67868.

HOUSE RESOLUTION No. 6023—

By Representatives Hill, Carlson, Davis, Gordon, Maloney, Prescott, Proehl, Rardin, Swanson, Tafanelli, Vickrey, Whitham and B. Wolf

A RESOLUTION recognizing the Kansas Small Business Development Center's 2009 Businesses of the year.

WHEREAS, The mission of the Kansas Small Business Development Center (KSBDC) is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting, training and resources; and

WHEREAS, The KSBDC regional directors and staff select eight Emerging Business of the Year award recipients and eight Existing Business of the Year award recipients; and

WHEREAS, The Kansas Small Business Development Center's Business of the Year awards are designed to recognize KSBDC clients for superior performance; and

WHEREAS, Existing Business of the Year Award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and impact based on the KSBDC Economic Impact Tracking spreadsheet, a record of profitability and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2009 KSBDC Emerging Businesses of the Year are Flint Hills Laser Expressions in Emporia, Kansas, owned by Rick and Rhonda Robidou; Tischlerei, Inc. in Osborne, Kansas, owned by Olaf Gerhardt; Ewe Specialties, LLC and Special Occasions in Garden City, Kansas, owned by Louaine Knoll and Sondra Baird; Marathon Moving & Delivery, LLC in Overland Park, Kansas, owned by Roger Lee Ward III and Dana Marie Ward; Sweetlove Farm, LLC in Oskaloosa, Kansas, owned by Phil and Sally Holman-Hebert; Tallgrass Brewing Company in Manhattan, Kansas, owned by Jeff Gill; Long's Ranch & Pet Supply in Clay Center, Kansas, owned by Barrett and Stacie Long; and

WHEREAS, The 2009 KSBDC Existing Businesses of the Year are Kraus Electric, LLC in Scranton, Kansas, owned by Lee and Elizabeth Kraus; Completely Kids in Great Bend, Kansas, owned by Dana and Roger Long; Nature's Way Health Food in Garden City, Kansas, owned by Velma Diehl and Janice Olson; The BBQ Shack in Paola, Kansas, owned by Rick Schoenberger; Oliver Electric Construction in Lawrence, Kansas, owned by Robert and Deidre Oliver; Higher Calling Technologies, LLC in Parsons, Kansas, owned by Greg and Suzie York and Mike and Kim Meyer; Custom Tree Care, Inc. in Topeka, Kansas, owned by Greg Gathers; Cannonball Engineering, LLC in Kingman, Kansas, owned by Terry and Debbie Schrag; and

WHEREAS, The KSBDC Businesses of the Year serve as examples of the success that the KSBDC and small business owners across Kansas can achieve: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize the Kansas Small Business Development Center's 2009 Emerging and Existing Businesses of the Year and wish all of them and the KSBDC continued success in the future; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives be directed to send 15 enrolled copies of this resolution to Representative Hill, three copies to Representative Proehl, three copies to Representative Tafanelli, two copies to Representative Vickrey, two copies to Representative Rardin, two copies to Representative Prescott, two copies to Representative Whitham, one copy to Representative Maloney, one copy to Representative Gordon and one copy to Representative Swanson.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6019, HR 6020** reported correctly enrolled and properly signed on March 8, 2010.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Tuesday, March 9, 2010.

SUSAN W. KANNARR, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

