

# Journal of the House

THIRTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 27, 2005, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 122 members present.  
Reps. Merrick and M. Miller were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Joe K. Tuttle, pastor, Bethel Baptist Church, Emporia, and guest of Rep. Mast:

Heavenly Father, we come before you today, humbly seeking your guidance over this body of legislators.

Scripture tells us that without you we can do nothing worthwhile.

So, we pray that each of us will seek your direction, your wisdom and your instruction in every decision that is required of us today.

Thank you for allowing us the privilege of being your servants, as well as servants of the people of the state of Kansas.

The voters have placed a sacred trust in each of these men and women and we pray that they will desire to represent their constituency well.

Keep these men and women close to you today and make us ever mindful of your all seeing eyes and ears.

God, we need your presence and strength and values.

Watch over our soldiers wherever they might be and protect our public servants who defend our freedom and keep our law.

Thank you for allowing us to live in the best state in the United States.

One last thing Lord, comfort the hearts of the family and friends of the Greenwood county sheriff Matt Samuels in their loss. We love you Lord and thank you for the love you so freely give us. Amen.

The Pledge of Allegiance was led by Rep. Carter.

**SPECIAL PRESENTATION**

Berkley Matthews of Salina, granddaughter of Rep. McCreary, sang "God Bless the USA." She is 12 years old and a 6th grade student.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2187**, An act relating to the taxation of motor vehicles; concerning exemptions for certain military individuals; amending K.S.A. 2004 Supp. 79-5107 and repealing the existing section, by Representative Otto.

**HB 2188**, An act concerning school districts; relating to teachers; establishing a grant program for development of peer assistance and peer assistance and review programs, by Representative Loganbill.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and resolutions were referred to committees as indicated:

Agriculture: **HCR 5005**.

Appropriations: **HB 2183**.  
 Corrections and Juvenile Justice: **HB 2176, HB 2179, HB 2180**.  
 Economic Development: **HB 2164**.  
 Education: **HB 2175**.  
 Federal and State Affairs: **HB 2177**.  
 Governmental Organization and Elections: **HB 2165, HB 2167, HB 2182, HB 2185, HB 2186; HCR 5006**.  
 Health and Human Services: **HB 2178**.  
 Insurance: **HB 2170, HB 2171, HB 2172, HB 2173, HB 2174, HB 2184**.  
 Judiciary: **HB 2166, HB 2168, HB 2169**.  
 Utilities: **HB 2181**.

#### MESSAGE FROM THE GOVERNOR

January 21, 2005

*Message to the House of Representatives of the State of Kansas:*

Enclosed herewith is Executive Directive No. 05-357 for your information.

#### EXECUTIVE DIRECTIVE NO. 05-357

Authorizing A Personnel Transaction

KATHLEEN SEBELIUS  
*Governor*

The above Executive Directive is 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. Kuether, **HR 6008**, by Reps. Kuether, Burgess, Flora, Gordon, Hutchins, Kirk, Lane, Mah and Mays, as follows, was introduced and adopted:

#### HOUSE RESOLUTION No. 6008—

A RESOLUTION congratulating and commending the Washburn University football team and Coach Craig Schurig for their success during the 2004 season and for being the Mineral Water Bowl Champion.

WHEREAS, The Washburn University football team finished the 2004 season with a record of 8 wins and 4 losses including 6 wins and 3 losses during conference competition. The Ichabods finished with their highest MIAA Conference finish since joining the league in 1989. The team recorded their highest win total since 1988 and became only the 7th Ichabod team in 114 years of football competition to record 8 wins. The Ichabod football team became the 2004 Mineral Water Bowl Champion by beating Northern State University 36 to 33 on December 4, 2004; and

WHEREAS, The 2004 Ichabod captains were senior quarterback Tyler Schuerman, senior offensive lineman Tyrone Barrett, junior linebacker Grant Gould and junior wide receiver Mike Odupitan; and

WHEREAS, Individual player accomplishments were as follows:

Curtis Massey—first team all-MIAA punter  
 Sam Sissom—second team all-MIAA wide receiver and second team all-region  
 Rudy Su'e—second team all-MIAA offensive lineman  
 Trey Lewis—second team all-MIAA defensive tackle  
 Fletcher Terrell—second team all-MIAA defensive back  
 Tyler Schuerman—honorable mention all-MIAA quarterback  
 Ra' Shawn Mosley—honorable mention all-MIAA runningback  
 Mike Odupitan—honorable mention all-MIAA wide receiver  
 Rashawn Bland—honorable mention all-MIAA fullback  
 Tyrone Barrett—honorable mention all-MIAA offensive lineman  
 Grant Gould—honorable mention all-MIAA linebacker

Adam Azeltine, Evin Beck, Ben Boswell, Matt Durler, Zach Hemmerling, Dustin Hickel, Joseph Leiker, Josh Looney, Pat Mack, Chris McCann, Blake Meyer and Tyler Schuerman were named to the MIAA Commissioner's Academic Honor Roll; and

Matt Durler was named first team Academic All-Region; and

WHEREAS, The Ichabods were coached by Craig Schurig, Brian Miller, Chris Brown, Cooper Harris, Rob Robinson, David Trupp, Dion Meneley, Cassidy McCrite, Justin Schriber and Zach Nally; Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the Washburn University Ichabod football team and Coach Schurig be congratulated and commended for their success during the 2004 season and for being the 2004 Mineral Water Bowl Champion; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives be directed to send an enrolled copy of this resolution to Dr. Jerry B. Farley, President, Washburn University, 1700 College, Topeka, Kansas 66621.

#### INTRODUCTION OF GUESTS

Rep. Kuether introduced members of the Washburn University football team who were accompanied by Dr. Jerry Farley, president; Loren Ferre, Athletic Director; and Craig Schurig, coach.

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

On motion of Rep. Krehbiel, **HR 6007**, A resolution honoring the courage, heroism and sacrifice of war dogs, was adopted.

#### CONSENT CALENDAR

No objection was made to **HB 2040** appearing on the Consent Calendar for the first day.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2018**, An act concerning certain rural water districts; providing procedures for acquisition of such districts' water supply and distribution systems by other rural water districts and providing procedures for the acquisition of the area within the boundaries of such districts by other rural water districts; amending K.S.A. 2004 Supp. 82a-647 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Merrick, M. Miller.

The bill passed.

**HB 2059**, An act concerning school districts; relating to enrollment; amending K.S.A. 2004 Supp. 72-6407 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: Dillmore, Henderson.

Present but not voting: None.

Absent or not voting: Merrick, M. Miller.

The bill 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 bills and concurrent resolutions were thereupon introduced and read by title:

**HB 2189**, An act concerning retirement; relating to the Kansas public employees retirement system and systems thereunder; lump-sum death benefit; amending K.S.A. 74-4989 and repealing the existing section, by Representatives Lane, Burgess, Burroughs, Crow, Dillmore, Flora, Grant, Hawk, Henderson, Holland, Humerickhouse, Hutchins, Kirk, Kuether, Loganbill, Long, Mah, Mays, McKinney, Menghini, Pauls, Ruff, Ruiz, Svaty, Thull, Treaster, Williams and Winn.

**HB 2190**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; retirant dividend payments to certain retirants thereof, by Representatives Lane, Burroughs, Crow, Dillmore, Flaharty, Flora, Gordon, Grant, Hawk, Henderson, Holland, Humerickhouse, Hutchins, Kirk, Kuether, Loganbill, Long, Mah, Mays, Menghini, Pauls, Ruff, Ruiz, Svaty, Thull, Treaster, Williams and Winn.

**HB 2191**, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; postretirement benefit adjustment; amending K.S.A. 2004 Supp. 74-4920 and repealing the existing section, by Representatives Lane, Burgess, Burroughs, Crow, Dillmore, Flaharty, Flora, Gordon, Grant, Hawk, Henderson, Holland, Humerickhouse, Hutchins, Kirk, Kuether, Loganbill, Long, Mah, Menghini, Pauls, Ruff, Ruiz, Svaty, Thull, Treaster, Williams and Winn.

**HB 2192**, An act concerning disposition of certain tobacco litigation settlement proceeds; establishing the health care for seniors fund, by Representatives Huff, Colloton, Cox, DeCastro, Faust-Goudeau, Garcia, Gordon, Horst, Huntington, Kirk, Lane, Jim Morrison, Vickrey and Yonally.

**HB 2193**, An act concerning funding for certain home and community-based services for the elderly; amending K.S.A. 2004 Supp. 75-3717 and repealing the existing section, by Representatives Huff, Colloton, Dahl, Faust-Goudeau, Garcia, Gordon, Horst, Huntington, Kirk, Lane, Mah, Jim Morrison, Pottorff, S. Sharp, Thull and Yonally.

**HB 2194**, An act concerning the state workforce investment program; membership of the state workforce investment board and local workforce investment boards; designating older Kansans as a special target population, by Representatives Huff, Beamer, Cox, Dahl, DeCastro, Faust-Goudeau, Garcia, Gordon, Hayzlett, Horst, Huntington, Kirk, Lane, Mah, Jim Morrison, O'Malley, Pottorff, S. Sharp, Storm, Thull, Vickrey, Williams and Yonally.

**HB 2195**, An act concerning homestead property tax refunds; amending K.S.A. 79-4509 and repealing the existing section, by Representatives Huff, Dahl, Faust-Goudeau, Flora,

Garcia, Gordon, Hayzlett, Horst, Huntington, Kirk, Lane, Jim Morrison, Pottorff, Storm, Thull, Vickrey and Yonally.

**HB 2196**, An act concerning the state long-term care ombudsman; amending K.S.A. 2004 Supp. 75-7301 and repealing the existing section, by Representatives Huff, Colloton, Dahl, DeCastro, Faust-Goudeau, Garcia, Gordon, Hayzlett, Horst, Huntington, Kirk, Lane, Mah, Jim Morrison, O'Malley, Pottorff, S. Sharp, Storm, Thull, Vickrey and Yonally.

**HB 2197**, An act creating the health care for seniors fund; concerning the disposition of a sales tax and compensating use tax proceeds; prescribing certain powers, duties and functions for the secretary of aging and secretary of revenue; amending K.S.A. 2004 Supp. 79-3620 and 79-3710 and repealing the existing sections, by Representatives Huff, Cox, DeCastro, Faust-Goudeau, Garcia, Horst, Kirk, Lane, Storm, Thull and Yonally.

**HB 2198**, An act concerning child care facilities; relating to the disclosure of certain records relating thereto; amending K.S.A. 65-525, as amended by section 19 of chapter 145 of the 2004 Session Laws of Kansas, and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2199**, An act concerning children in need of care; relating to informal supervision; amending K.S.A. 38-1544 and repealing the existing section, by Committee on Appropriations (By Request of the Joint Committee on Children's Issues).

**HB 2200**, An act concerning the support and care of children; relating to children in need of care; concerning rights of certain parties to be present at certain proceedings; amending K.S.A. 2004 Supp. 38-1552a and repealing the existing section, by Committee on Appropriations (By Request of the Joint Committee on Children's Issues).

**HB 2201**, An act concerning offender registration; relating to retroactivity; amending K.S.A. 2004 Supp. 22-4902 and 22-4912 and repealing the existing sections, by Representatives Long and Ward.

**HB 2202**, An act concerning workers compensation; relating to discounts for workplace safety consultation, by Representative Ward.

**HB 2203**, An act concerning nonprofit medical and hospital service corporations; relating to termination of health insurance coverage for cause; amending K.S.A. 40-19c06 and repealing the existing section, by Committee on Insurance.

**HB 2204**, An act concerning sales taxation; relating to exempt property; health and fitness organizations and businesses; amending K.S.A. 2004 Supp. 79-3603 and repealing the existing section, by Committee on Health and Human Services.

**HB 2205**, An act concerning lenders; prohibiting unauthorized use of lender's name, trade name or trademark, by Committee on Financial Institutions.

**HB 2206**, An act concerning the department of corrections; relating to the disposal of abandoned inmate property; amending K.S.A. 75-5257 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2207**, An act concerning property taxation; relating to homestead property tax refunds; income determination; amending K.S.A. 2004 Supp. 79-4502 and repealing the existing section, by Committee on Taxation.

**HB 2208**, An act establishing a task force on the prevention and treatment of obesity, by Representative Pottorff.

**HB 2209**, An act relating to local boards of education; authorizing board members to be employees of the school district; amending K.S.A. 72-8202e and repealing the existing section, by Representatives Otto, Horst, Mah, Pauls and Powers.

**HB 2210**, An act concerning hunting; amending K.S.A. 2004 Supp. 32-920 and repealing the existing section, by Representatives Otto, Beamer, Brown, Dahl, Faber, George, Goico, Grange, Hayzlett, Holland, M. Holmes, Kelsey, Lane, Larkin, Mah, Mast, McLeland, Merrick, Judy Morrison, Myers, Neufeld, Oharah, Olson, Pauls, Powell, Powers, Ruff, Siegfried, Watkins and Williams.

**HB 2211**, An act concerning ambulances; relating to carrying explanations of legal documents, by Committee on Health and Human Services.

**HB 2212**, An act relating to schools; concerning procedures relating to teacher contracts; amending K.S.A. 72-5439 and 72-5443 and K.S.A. 2004 Supp. 72-5438, 76-11a06, 76-11a07 and 76-11a11 and repealing the existing sections, by Representative F. Miller.

**HB 2213.** An act concerning formation of corporations; amending K.S.A. 2004 Supp. 17-6002 and repealing the existing section, by Representative Davis.

HOUSE CONCURRENT RESOLUTION No. 5007—

By Committee on Agriculture

A CONCURRENT RESOLUTION urging the United States Department of Agriculture to grant companies the necessary permission to test 100% of their animals to meet market demand.

WHEREAS, The closure of export markets for American beef at the end of 2003 has cost the U.S. economy an estimated \$3.3 billion a year; and

WHEREAS, Many countries which have shut their borders to American beef are demanding significantly increased testing and in some cases, demanding the testing of all animals; and

WHEREAS, Creekstone Farms, a Kansas beef packing company which normally exports 20% of its beef to Japan, which has banned all imports of untested beef, is losing approximately \$200,000 a day; and

WHEREAS, In response, Creekstone Farms has spent over \$500,000 to build a laboratory and hired scientists, to test over 300,000 of its own animals to regain its lost market; and

WHEREAS, A basic tenet of the American way and a free market economy is the producer supplying what the consumer is demanding; and

WHEREAS, For the U.S. regulatory agency with responsibility to ensure the safety of American beef products to give permission to relax testing standards would be unacceptable, but to not give a company the authority to exceed such standards is nonsensical in light of this difficult time for American beef producers; and

WHEREAS, The Legislature of the State of Kansas does not dispute the USDA contention that 100% testing for BSE is not necessary for protecting health and should not be mandatory; and

WHEREAS, To deny a small specialty firm the right to voluntarily test all its animals to meet the legitimate demands of one of its best customers is inappropriate, especially with regard to current market conditions; and

WHEREAS, The USDA should not ban contractual agreements between a willing buyer and a willing seller when such agreements do not hurt consumers and help the American economy: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That we urge the United States Department of Agriculture to allow Creekstone Farms and other beef producers to test 100% of its beef for BSE to satisfy its customers and open markets to American beef; and

*Be it further resolved:* That the Secretary of State be directed to send enrolled copies of this resolution to the President of the United States and the Secretary of the United States Department of Agriculture.

HOUSE CONCURRENT RESOLUTION No. 5008—

By Representatives Huff, Dahl, DeCastro, Faust-Goudeau, Gordon, Hayzlett, Horst, Lane, Mah, Jim Morrison, Storm, Vickrey and Yonally

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

“**§ 1. System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 1993, and each year thereafter. Except as otherwise hereinafter specifically pro-

vided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. *Effective January 1, 2007, the legislature shall provide by law to prohibit valuation increases on single-family residential real property with a valuation of less than \$100,000 which is owned by and the principal place of residence of Kansas residents who are 65 years of age or older as of January 1 of the tax year. The legislature may provide by law for subsequent adjustments in the age and the valuation requirements and enact such other legislation as is necessary to administer this provision.* The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located ..... 11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution ..... 30%
- (3) Vacant lots ..... 12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law ..... 12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed ..... 33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use ..... 25%
- (7) All other urban and rural real property not otherwise specifically subclassified ..... 30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes ..... 11½%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25% ..... 30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed ..... 33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985 ..... 30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long

- as such property is being used, shall not be less than 20% of the retail cost when new of such property ..... 25%
- (6) All other tangible personal property not otherwise specifically classified ..... 30%
- (b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*“Explanatory statement.* This amendment would require the legislature to prohibit valuation increases of single-family residential real property with a valuation of less than \$100,000 which is owned by and the principal place of residence of Kansas residents who are 65 years of age or older. The legislature may provide for subsequent adjustments in the age and valuation requirements and other legislation to administer this provision.

“A vote for this proposition would require the legislature to prohibit valuation increases of single-family residential real property with a valuation of less than \$100,000 which is owned by and the principal place of residence of Kansas residents who are 65 years of age or older and allow the legislature to make subsequent adjustments in the age and valuation requirements and enact other legislation as necessary to administer this provision.

“A vote against this proposition would maintain the current system of property taxation which provides no such prohibition.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election to be held on November 6, 2006.

**CHANGE OF REFERENCE**

Speaker Mays announced the withdrawal of **HB 2147** from Committee on Governmental Organization and Elections and referral to Committee on Corrections and Juvenile Justice.

**COMMITTEE ASSIGNMENT**

Rep. Williams is appointed to Committee on Governmental Organization and Elections to replace Rep. M. Miller.

**REPORT ON ENGROSSED BILLS**

**HB 2059** reported correctly engrossed January 26, 2005.

On motion of Rep. Aurand, the House adjourned until 10:30 a.m., Friday, January 28, 2005.

CHARLENE SWANSON, *Journal Clerk.*

JANET E. JONES, *Chief Clerk.*

