

Journal of the House

FORTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 10, 2005, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Merrick in the chair.
The roll was called with 120 members present.
Rep. Showalter was excused on verified illness.
Reps. Mays and Shultz were excused on legislative business.
Reps. Weber and Yonally were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Clark Johnson, pastor, First Southern Baptist Church, Topeka, and guest of Rep. Jim Morrison:

We come here this morning with thankful hearts, thankful for the love and grace that God has so freely given us. We are thankful for the opportunity to be a part of life in a positive and productive way.

Lord, we ask for wisdom, not just for knowledge. Give us wisdom to sort through the choices of life in such a way that is right and good can come forth. We ask for wisdom to present that which builds up and encourages.

Give them discerning spirits that will allow these to identify the true challenges and to attach themselves to that solution.

We are thankful for these who represent others. Father, remind them of the privilege and the responsibility that is theirs. May they lead with confidence because they have been with you; proclaim what they know is right; and listen so they know they are wise.

We will continue to say, "Thank you," for the privilege and the opportunity to be of service and value.

Thanks, Father. It is in Jesus' name we pray. Amen.

The Pledge of Allegiance was led by Rep. Kiegerl.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2517, HB 2518.**

Health and Human Services: **HR 6021.**

Utilities: **HB 2519.**

MESSAGE FROM THE SENATE

Announcing passage of **Sub. SB 103; Sub. SB 211; SB 223.**

Announcing passage of **HB 2147, HB 2187, HB 2206.**

Announcing adoption of **HCR 5005**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub. SB 103; Sub. SB 211; SB 223.

CONSENT CALENDAR

No objection was made to **SB 47, SB 115** appearing on the Consent Calendar for the first day.

No objection was made to **SB 98** appearing on the Consent Calendar for the second day.

On motion of Rep. Aurand, the House resolved into Committee of the Whole, with Rep. B. Sharp in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. B. Sharp, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 114, SB 104, SB 219** be passed.

Committee report to **HR 6019** be adopted; and the resolution be adopted as amended.

Committee report to **SB 113** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 56** be passed.

Committee on **Commerce and Labor** recommends **SB 108** be amended on page 34, in line 42, by striking all after "(1)"; by striking all in line 43;

On page 35, by striking all in lines 1 and 2; in line 3, by striking all before the comma and inserting: "It shall be unlawful for an employing unit to knowingly obtain or attempt to obtain a reduced liability for contributions under subsection (b)(1) of K.S.A. 44-710a and amendments thereto through manipulation of the employer's workforce, or for an employing unit that is not an employing unit at the time it acquires the trade or business, to knowingly obtain or attempt to obtain a reduced liability for contributions under subsection (b)(5) of K.S.A. 44-710a and amendments thereto, or any other provision of K.S.A. 44-710a related to determining the assignment of a contribution rate, when the sole or primary purpose of the business acquisition was for the purpose of obtaining a lower rate of contributions, or for a person to knowingly advise an employing unit in such a way that results in such a violation"; in line 34, by striking all after "(f)"; in line 35, by striking "to constitute" and inserting "should be prosecuted as";

On page 36, in line 2, after "subsection" by inserting "(f)"; in line 3, by striking "(g)" and inserting "(5)"; in line 5, by striking "(h)" and inserting "(6)"; in line 6, by striking "(1)" and inserting "(A)"; in line 8, by striking "(2)" and inserting "(B)"; in line 9, by striking "(3)" and inserting "(C)"; in line 11, by striking "(i)" and inserting "(7)"; also in line 11, by striking "section" and inserting "subsection (f)"; in line 14, by striking "K.S.A. 44-719 and"; also in line 14, by striking all after "Supp."; in line 15, by striking "are" and inserting "is"; preceding line 16, by inserting:

"Sec. 6. On January 1, 2006, K.S.A. 44-719 and K.S.A. 2004 Supp. 44-703 and 44-710a are hereby repealed.";

And by renumbering the remaining section accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2200** be amended on page 1, in line 26, by striking "advocate" and inserting "ally"; in line 28, by striking "advocate" and inserting "ally"; in line 42, by striking "designee" and inserting "ally"; also in line 42, by striking "designees" and inserting "allies"; in line 43, by striking "designee" and inserting "ally"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 30** be amended on page 1, in line 32, by striking all after "(b)"; by striking all in lines 33 through 39 and inserting "An individual may be disqualified for any state or federal assistance permitted by this section if confirmation of illegal drug use is found as a result of testing that occurs while the individual is on probation, parole, conditional release or postrelease supervision or during required substance abuse treatment."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2003** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2003," as follows:

“Substitute for HOUSE BILL No. 2003
by Committee on Taxation

“AN ACT concerning the emerging industry investment act; amending K.S.A. 2004 Supp. 74-99b33 and 74-99b34 and repealing the existing sections.”; and the substitute bill be passed.

(**Sub. HB 2003** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **SB 124, SB 252** be passed.

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 2520. An act concerning the licensure of community mental health centers; amending K.S.A. 75-3307b and repealing the existing section, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker pro tem Merrick announced the withdrawal of **HB 2505** from Committee on Economic Development and referral to Committee of the Whole.

COMMITTEE ASSIGNMENTS

Speaker pro tem Merrick announced Rep. Merrick will replace Rep. Weber on Committee on Appropriations.

Also, Rep. Hayzlett will replace Rep. Pottorff on Committee on Appropriations.

On motion of Rep. Aurand, the House adjourned until 10:30 a.m., Friday, March 11, 2005.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

