

# Journal of the House

## FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
Topeka, KS, Monday, January 9, 2006, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2006 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Speaker Doug Mays.

Speaker Mays announced that the Rev. Michael Chamberlain, pastor, First United Methodist Church, Topeka, will serve as Chaplain of the House for the 2006 session.

Prayer by Chaplain Chamberlain:

Almighty and everlasting God, giver of life, liberty and true joy, we lift your name and praise you as we gather this day. You, O God, have provided for our every need. You have blessed us with your grace. We are made complete because of your love.

We gather today in the house of the people of the state of Kansas. It is a house that celebrates your gift of freedom as it acts to express the will of those whom freedom has blessed. Bless the servants of the people who stand in this chamber today. Grant to them the patience, wisdom, and humor that they will need to do the work that needs doing. Guide their deliberations, their debates and their votes that they may act with integrity and honor as they fulfill the high calling of their office. Grant to those in leadership a clear vision for your kingdom on earth as it is in heaven and the courage to go where you lead.

Finally, Lord, bless our great state and its people. Make our home on the range a place where discouragement is not heard and where the clouds of dissension and division are not seen in our day. Hear our prayers, O God, from the heart of our great nation and from each of our own hearts. Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

### COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Kay Wolf, Prairie Village, Kansas, was appointed by the Governor effective August 4, 2005, for the unexpired term State Representative for the 21st Legislative District, to fill the vacancy created by the resignation of Dean Newton.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 8th day of August, A.D. 2005.

RON THORNBURGH  
*Secretary of State*

### COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Ed Trimmer, Winfield, Kansas, was appointed by the Governor effective August 19, 2005,

for the expired term State Representative for the 78th Legislative District, to fill the vacancy created by the death of Judy Showalter.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 19th day of August, A.D. 2005.

RON THORNBURGH  
*Secretary of State*

#### COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Ty Masterson, Andover, Kansas, was appointed by the Governor effective October 28, 2005, for the unexpired term State Representative for the 99th Legislative District, to fill the vacancy created by the resignation of Todd Novascone.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 28th day of October, A.D. 2005.

RON THORNBURGH  
*Secretary of State*

#### COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Richard Proehl, Parsons, Kansas, was appointed by the Governor effective December 21, 2005, for the expired term State Representative for the 7th Legislative District, to fill the vacancy created by the resignation of Jeff Jack.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 21st day of December A.D. 2005.

RON THORNBURGH  
*Secretary of State*

#### COMMUNICATIONS FROM STATE OFFICERS

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Steve Lukert, Sabetha, Kansas, was appointed by the Governor effective December 22, 2005, for the unexpired term State Representative for the 62nd Legislative District, to fill the vacancy created by the resignation of Bruce Larkin.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 3rd day of January, A.D. 2006.

RON THORNBURGH  
*Secretary of State*

Speaker Mays welcomed Reps. Lukert, Masterson, Proehl, Trimmer and Wolf as new members for the 2006 session.

There being no objection the following remarks of Rep. Mays are spread upon the Journal:

It was cold, near freezing in the pre-dawn hours of March 19, 1775. Word had come just hours before from Paul Revere that British troops were advancing on Middlesex County. Capt. John Parker was alerted to mobilize the Lexington Company of the Massachusetts Militia in anticipation of a British 700-man force that was marching on Concord to capture provincial arms.

By 2 a.m. Parker had mustered his men on the Lexington Green. The Lexington Company of militia was typical of the period. The youngest was 18, the oldest 63; eight fathers and sons served together. Most were farmers, while some were veterans of the French and Indian War.

Soon the British column emerged from the early morning fog, and formed up opposing the minutemen. It was just after sunrise when Parker and his 77 militiamen stood in defiance

of the British advance guard. "Stand your ground," Parker ordered. "Don't fire unless fired upon. But, if they want to have a war, let it begin here."

The British officer in charge of the advance guard ordered the militia to lay down their arms — or die. Although extremely outnumbered, they refused. Suddenly, an unordered shot rang out from the British ranks. Other volleys soon followed, and although the militia fought bravely, several died, and many more were wounded.

The sacrifice of the Lexington militia was not wasted that day, for, because of their courage, at the precise moment of the "the shot heard round the world," two crucial events occurred: America became a nation, and the institution of the American citizen soldier was born.

For the remainder of Revolutionary War, and throughout American history, whether at home or abroad, states militia and, as they were later known, the National Guard have, like their forbearers, stood bravely before the enemies of freedom.

In 1861, the first regiments of Kansas volunteers served the Union in the Civil War. Approximately 13,400 militia responded to a call from the governor when Confederate General Price's rebel forces were driving toward Kansas. The militia units together with U.S. forces were successful in protecting Kansas against the invasion.

In the ensuing 140 years, the Kansas National Guard has served in virtually every conflict involving the United States including: World War I, World War II, Korea, The Berlin Crisis, Viet Nam, The Persian Gulf, Bosnia and Kosovo.

Today, many of our Kansas men and women are serving in Iraq. Most will return home safely. Sadly, a few will not. All are courageous. All are heroes. All are deserving of our deepest gratitude and admiration.

We are privileged to welcome home just such a hero, Lt. Col. Lee Tafanelli. Fourteen months ago Col. Tafanelli left all that was dear to him: his family, his home, his community, his civilian profession, and his seat in the Kansas House of Representatives. He never complained. He fulfilled his duty to his state and to his nation; and in doing so skillfully commanded the largest deployment of Kansas Guardsmen and women since World War II.

His duty now done, his selection and appointment as the State Representative from the 47th District complete, he need only accept the oath of office.

Welcome home Col. Tafanelli. May God bless you and all who serve in the cause of liberty.

#### **OATH OF OFFICE**

Representative-elect Lee Tafanelli came forward and too and subscribed to the following oath of office, which was administered to him by Secretary of State Ron Thornburgh.

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 House of Representatives. So help me God.

Subscribed and sworn to before me this 9th day of January, 2006.

RON THORNBURGH  
*Secretary of State*

#### **COMMUNICATIONS FROM STATE OFFICERS**

*To all to whom these presents shall come, Greetings:*

I, RON THORNBURGH, Secretary of State of the State of Kansas, do hereby certify that Lee Tafanelli, Ozawkie, Kansas, was appointed by the Governor on January 9, 2006, for the unexpired term State Representative for the 47th Legislative District, to fill the vacancy created by the resignation of Joann Flower and that the oath of office has been administered to Lee Tafanelli and was filed in my office on the ninth day of January, 2006.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka, this 9th day of January, A.D. 2006.

RON THORNBURGH  
*Secretary of State*

There being no objection, the following remarks of Rep. Tafanelli are spread upon the Journal:

Thank you Mr. Speaker, members of the Legislature, distinguished guests. Thank you so much for this wonderfully warm and gracious welcome back. I can't begin to describe the well of emotion and pride as I stand up here today.

I am indeed honored and humbled to stand before you and to represent all of those who wear the uniform of our Armed forces and defend our great nation. Today as soldiers in my battalion are home from their deployment, we have other Kansans deployed around the world conducting critical missions in support of our nation's defense and others preparing for deployment. These soldiers join other service men and women around country as they defend our nation in the Global War on Terrorism.

I believe that we as a nation face the greatest threat that we have ever faced in this War on Terror. There are those that wish to not only destroy our way of life, but destroy us for who we are and for what we believe in. Make no mistake about it, we are at war and it is a war for our survival, and we should never forget that.

They say that the World War II generation is the "Greatest Generation," and they truly were. I believe that the soldiers, sailors, airmen and marines currently fighting the War on Terror will be regarded as the next Greatest Generation. The young men and women that dare to face the realities of war, fighting for freedom, with a willingness to lay their life on the line. They have left their mark in the world, and in the end, they will have made a difference. And as others have done before, our engineers too made a difference in Iraq. Our engineers accomplished many great things during their deployment and Iraq is a better and safer place as a result of their service and sacrifice. One of those soldiers that made a difference in Iraq is here today. The senior enlisted soldier in the 891st Engineer Battalion CSM John Ryan.

During the past year, our engineers you can say have done it all. They conducted a wide variety of missions across the full spectrum of engineer operations and distinguished themselves on the battlefield under difficult circumstances and dangerous conditions. Here are just a few of the missions that they performed while in Iraq. They conducted combat presence patrols, route clearance operations to locate, interrogate and eliminate IED's along the roads of Iraq thereby increasing the safety and security of Coalition Forces. They constructed theater internment facilities at places like Abu Ghraib and Camp Bucca, to detain anti-Iraqi forces and insurgents. They constructed combat out posts in western Iraq in support of U.S. Marine and Iraqi Security Forces. They performed a variety of other construction missions for improving the safety, security and quality of life for soldiers, sailors, airmen and marines. We also conducted numerous logistical, medical support missions and humanitarian assistance visits to help the people of Iraq. Our missions have taken us from Baghdad to Kuwait to the Syrian border and places in between.

But the most important thing that we did was to help set the conditions for free and open elections in Iraq and bring hope and optimism for a better and brighter future for the people of Iraq.

In war, you have the opportunity to see both the best and the worst of what mankind is capable of. You learn a lot about yourself, your capabilities and your limitations. You learn to depend on others as they depend on you. You also return home with a greater love for family and country, our freedom and our way of life. Our soldiers were a part of history as the work that they did helped set the conditions for the birth of a new democracy and the hope for a brighter future for the people of Iraq. Often we see on the news the death and destruction that happens in Iraq. We rarely see the many good things that are happening there on a daily basis. Our soldiers got to witness first hand and even helped to bring about many of the good things that are happening there each and every day.

You are also reminded in war that the cost of freedom isn't free and for our battalion, the cost was high this past year. Two fine soldiers, SGT Derrick Lutters and SGT Dusty Carroll made the ultimate sacrifice for freedom and give the last full measure of devotion in service to their nation. They represent the most precious resource of our nation, its sons and daughters. We must never forget them, what they stood for, or the price that they paid for freedom.

I would also like to recognize the contribution of family and friends here at home. Their contributions to the maintenance of the home front are every bit as significant as what is accomplished on the battlefield. The families are the ones who kept things together while we were gone. They too, had a hard job, the separation of the last sixteen months, the many missed special moments and other significant events, the additional burdens and responsibilities that our absence placed on them. I would like to recognize and thank my family, my wife Tammy, my children, Nicholas and Francesca for their love and support and for their sacrifice for the cause of freedom. They, as well as all of the other soldiers' families are the real home town heroes.

The support that our soldiers and I have received during our deployment has been phenomenal. I can't begin to describe how important the support that we receive from home is to troop morale and to the accomplishment of the mission. I would like to thank the Speaker, the members of the Legislature, Legislative Services and everyone else that provided the many care packages, letters, email and prayers. They were all needed and greatly appreciated and they truly make a difference. I would also like to take this opportunity to recognize and thank Rep. Joann Flower for her faithful and dedicated service to the citizens of the State of Kansas. Her willingness to step in and serve after my resignation last year and endure the year that she did definitely entitles her to some award.

In closing, our soldiers have done their duty, served their state and nation with dignity, honor, pride and distinction. They accomplished every mission and have done everything asked of them. I will be forever grateful for having the distinct privilege and honor to serve with and command such an outstanding group of soldiers.

Thank you again for such a warm welcome back and for all of your support during the past year. I look forward to working with you as we begin this legislative session and conducting the people's business in the people's house. Thank you and may God Bless America.

The roll was called with 124 members present.

Rep. Pottorff was excused on excused absence by the Speaker.

#### **COMMUNICATIONS FROM STATE OFFICERS**

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2005 Regular Session of the Legislature.

From Diana B. Carlin, Dean of the Graduate School at the University of Kansas, the Annual Report for 2003-2004.

From Howard Rodenberg, MD, MPH, the first annual Tobacco Control Report.

From the Adjutant General's Department, the Kansas Commission on Emergency Planning and Response 2004 Annual Report.

From the Kansas Sentencing Commission, the 2005 Kansas Sentencing Commission Desk Reference Manual.

From Rev. Allen Smith and Jackie Williams, Co-Chairs, the Governor's Task Force on Racial Profiling Report and Recommendations.

From Irene Cummings, President and CEO, the 2005 Annual Report for KU Med, The University of Kansas Hospital.

From Stephen R. Weatherford, President, Kansas Housing Resources Corporation, Financial Statement for the years ended June 30, 2005 and 2004 and Independent Auditors' Report.

From Stephen R. Weatherford, President, Kansas Development Finance Authority, the Annual Report for the fiscal year ended June 30, 2005.

From Derl S. Treff, Director of Investments, the Annual Report of the Pooled Money Investment Board for Fiscal Year 2005.

From Larry Welch, Director, Kansas Bureau of Investigation, the annual report regarding status of the KBI State Forfeiture Fund.

From the Brian Moline, Chair, Kansas Corporation Commission, and the Kansas Energy Council, the Kansas Energy Report 2006.

From Glenn Deck, Executive Director, the Annual Report of the Kansas Public Employees Retirement System for the fiscal year ending June 30, 2005.

From the Office of Governor Kathleen Sebelius:

Executive Order No. 2005-04, continuing the moratorium on employee bonuses for Fiscal Year 2006.

Executive Order No. 2005-05, creating the Kansas Interagency Council on Homelessness.

Executive Directive No. 05-360, Authorizing expenditure of Federal Funds.

Executive Directive No. 05-361, Authorizing Personnel Transactions.

Executive Directive No. 05-362, Authorizing Expenditure of Federal Funds and Authorizing Fund Transfers.

Executive Directive No. 05-363, Authorizing Personnel Transactions.

Executive Directive No. 05-364, Authorizing Personnel Transactions.

Executive Directive No. 05-365, Authorizing Expenditure of Federal Funds.

Executive Directive No. 05-366, Authorizing Personnel Transactions.

Executive Directive No. 05-367, Authorizing Personnel Transactions.

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

#### COMMUNICATIONS FROM STATE OFFICERS

From Marilyn L. Jacobson, Acting Director, Department of Administration, Division of Accounts and Reports, submitting a CD of the 52nd Annual Financial Report of the State of Kansas for fiscal year ended June 30, 2005. The report is also available on line at <http://da.state.ks.us/ar/finrept>.

From Molly McGovern, Administrator for the Metropolitan Culture District Bi-State Commission which was established pursuant to KAN. STAT. ANN. 12-2536 and MO. REV. STAT. 70-500, Comprehensive Annual Financial Report for period ended December 31, 2004.

From Lynn Jenkins, State Treasurer, Annual Report for fiscal year 2005, which can also be found online at [www.kansasstatetreasurer.com](http://www.kansasstatetreasurer.com).

From J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks, in accordance with K.S.A. 32-844 and 32-845, Land Acquisition and Lease Renewal Report, December 28, 2005.

From M.L. Korphage, Director, Kansas Corporation Commission, Abandoned Oil & Gas Well Status Report, January 9, 2006.

From M.L. Korphage, Director, Kansas Corporation Commission, Remediation Site Status Report, January 9, 2006.

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. Aurand, **HR 6001**, by Reps. Mays and McKinney, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6001—

A RESOLUTION relating to the organization of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Doug Mays, speaker,  
Ray Merrick, speaker pro tem,  
Clay Aurand, majority leader,  
Dennis McKinney, minority leader,  
Janet Jones, chief clerk,  
Wayne Owen, sergeant at arms,

and awaits the pleasure of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Aurand, **HR 6002**, by Reps. Mays and McKinney, as follows, was introduced and adopted:

HOUSE RESOLUTION No. 6002—

A RESOLUTION relating to assignment of seats of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the members of the 2006 regular session shall occupy the same seats assigned pursuant to 2005 House Resolution No. 6012 with the following exceptions: Lukert, seat No. 7; Masterson, seat No. 67; Proehl, seat No. 80; Tafanelli, seat No. 23; Trimmer, seat No. 58; Watkins, seat No. 97; Wolf, seat No. 83.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following prefiled bills and concurrent resolution were introduced and read by title:

**HB 2540**, An act concerning civil procedure; relating to child support; amending K.S.A. 2005 Supp. 60-1610 and repealing the existing section, by Representative Olson.

**HB 2541**, An act concerning marriage; relating to the ages of the parties; amending K.S.A. 2005 Supp. 23-106 and repealing the existing section, by Representative Olson.

**HB 2542**, An act concerning gambling devices; amending K.S.A. 2005 Supp. 21-4306 and 21-4307 and repealing the existing sections, by Representative Williams.

**HB 2543**, An act concerning eminent domain; prohibiting the use of eminent domain for nonpublic use, by Representatives Holland, Lane and Mah.

**HB 2544**, An act amending the Kansas act against discrimination; concerning certain homeowners association's restrictive covenants, by Representative Feuerborn.

**HB 2545**, An act concerning insurance agents; relating to license renewal; amending K.S.A. 2005 Supp. 40-4903 and repealing the existing section, by Representative Kiegerl.

**HB 2546**, An act relating to school buses; requiring seat belts, by Representative Treaster.

**HB 2547**, An act concerning civil procedure; relating to the amount of damages; amending K.S.A. 60-19a01, 60-19a02 and 60-1903 and repealing the existing sections, by Representative Swenson.

**HB 2548**, An act concerning taxation; relating to the franchise tax; rates; elimination; amending K.S.A. 2005 Supp. 79-5401 and repealing the existing section, by Representatives Oharah, Beamer, Brown, Carlson, Decker, Grange, Huy, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Mast, McCreary, Merrick, Judy Morrison, Olson, Otto, Peck, Pilcher-Cook and Siegfried.

**HB 2549**, An act concerning the public health and welfare; relating to the discharge of sewage; relating to the powers and duties of the secretary of health and environment; amending K.S.A. 65-159 and 65-164 and repealing the existing sections, by Representative Brown.

**HB 2550**, An act regulating traffic; concerning wheel flaps; amending K.S.A. 2005 Supp. 8-2118 and repealing the existing section, by Representative Ward (By request).

**HB 2551**, An act concerning state employees; relating to computation of vacation leave, by Representative Davis.

**HB 2552**, An act concerning crimes, punishment and criminal procedure; relating to cigarettes; amending K.S.A. 2005 Supp. 79-3321 and 79-3322 and repealing the existing sections, by Representative Ward.

**HB 2553**, An act pertaining to the Kansas department of revenue; concerning the division of vehicles; prohibiting certain contracts relating to drivers' license renewal, by Representative Olson.

**HB 2554**, An act concerning criminal procedure; relating to the collection of DNA specimens; creating the DNA database fund; amending K.S.A. 2005 Supp. 21-2511 and repealing the existing section, by Representatives Colloton, Mays, Huntington and Wolf and Beamer, Goico, Hill, Horst, Hutchins, E. Johnson, Kelsey, Kiegerl, Light, Mast, McLeland, O'Malley, Oharah, Otto, Pottorff, Roth, Schwab, S. Sharp, Sloan and Yoder.

**HB 2555**, An act concerning crimes, punishment and criminal procedure; relating to the criminal justice recodification, rehabilitation and restoration committee; amending K.S.A.

2005 Supp. 22-5101 and repealing the existing section, by Joint Committee on Corrections & Juvenile Justice Oversight.

**HB 2556**, An act concerning the conservation commission; relating to conservation easements; establishing the farm and ranch land protection program; amending K.S.A. 2-1904 and repealing the existing section, by Representative Sloan.

**HB 2557**, An act concerning the Kansas offender registration act; relating to residency restrictions, by Representative Beamer.

**HB 2558**, An act concerning conservation and environmental protection or encroachment restriction districts; providing for the creation, enlargement and dissolution thereof, by Representative Sloan.

**HB 2559**, An act concerning campaign finance; relating to electioneering communications; relating to independent expenditures; relating to certain reporting requirements; relating to corrupt political advertising; amending K.S.A. 25-4148 and 25-4156 and repealing the existing sections, by Representatives O'Malley, Yoder, Colloton, Huntington, Davis, Mah, Carlin, Craft, Dillmore, Faust-Goudeau, Flaharty, Hill, Huff, Kirk, Owens, Pottorff, Roth, Ruff, Sawyer, Sloan, B. Sharp, S. Sharp, Storm, Treaster and Ward.

**HB 2560**, An act concerning the workers compensation fund; relating to powers and duties of the commissioner of insurance; abolishing the workers compensation fund oversight committee; amending K.S.A. 2005 Supp. 44-566a and repealing the existing section; also repealing K.S.A. 46-2401, by Joint Committee on Economic Development.

**HB 2561**, An act concerning wildlife and parks; relating to the Kansas wildlife and parks commission; amending K.S.A. 32-805 and repealing the existing section, by Representatives Gatewood and Grant.

**HB 2562**, An act concerning adoption; relating to home study assessments; amending K.S.A. 59-2132 and repealing the existing section, by Representative Owens.

**HB 2563**, An act concerning civil procedure; relating to personal injury actions; amending K.S.A. 60-19a02 and repealing the existing section, by Representative Owens (By Request).

**HB 2564**, An act creating the Kansas film production investor tax credit act, by Joint Committee on Economic Development.

**HB 2565**, An act relating to state employees; concerning restrictions on compensation of veteran service representatives; amending K.S.A. 46-235 and 73-1211 and repealing the existing sections, by Legislative Budget Committee.

**HB 2566**, An act concerning medicaid; relating to payroll agents for certain clients; care services by family members, by Special Committee on Medicaid Reform.

**HB 2567**, An act enacting the adult care home group-funded pool act; authorizing adult care homes to pool liabilities; providing certificate of authority to operate pools and providing for the regulation thereof, by Special Committee on Medicaid Reform.

**HB 2568**, An act establishing the Kansas long-term care partnership act, by Special Committee on Medicaid Reform.

**HB 2569**, An act concerning schools; relating to accreditation requirements; remedies, by Special Committee on Judiciary.

**HB 2570**, An act concerning the Kansas law enforcement training center; providing for the funding thereof; amending K.S.A. 74-5609a and K.S.A. 2005 Supp. 8-145 and repealing the existing sections, by Special Committee on Judiciary.

**HB 2571**, An act concerning civil procedure; relating to child custody; parenting plan; amending K.S.A. 2005 Supp. 60-1610 and repealing the existing section, by Special Committee on Judiciary.

**HB 2572**, An act concerning postsecondary educational institutions; relating to private and out-of-state institutions; amending K.S.A. 58-3046a, 72-4450, 72-4451, 72-4452, 74-3201b and 74-32,144 and repealing the existing sections, by Legislative Educational Planning Committee.

**HB 2573**, An act concerning income taxation; relating to deductions; contributions to qualified tuition programs; amending K.S.A. 2005 Supp. 79-32,117 and repealing the existing section, by Legislative Educational Planning Committee.

**HB 2574**, An act concerning the state board of regents; relating to the disposition of property acquired by devise; amending K.S.A. 74-3254 and repealing the existing section, by Legislative Educational Planning Committee.



**HB 2575.** An act concerning education; relating to the Kansas challenge to secondary school pupils act; amending K.S.A. 72-11a03 and repealing the existing section, by Legislative Educational Planning Committee.

**HB 2576.** An act concerning crimes, punishment and criminal procedure; enacting a lifetime imprisonment sentence for persistent offenders; mandatory penalties for certain sex offenses; duties of board of education, department of corrections and criminal justice coordinating council; relating to offender registration; amending K.S.A. 21-3504, 21-3506, 21-3513, 21-3812 and 21-4625 and K.S.A. 2005 Supp. 21-3447, 21-3502, 21-3516, 21-4611, 21-4635, 21-4638, 21-4704, 22-3717, 22-4903, 22-4904, 22-4906 and 74-9501 and repealing the existing sections, by Representative Kilpatrick.

**HB 2577.** An act concerning crimes; relating to justified use of force; amending K.S.A. 21-3211, 21-3212 and 21-3213 and repealing the existing sections, by Representative Carlson.

**HB 2578.** An act establishing the special education teacher service scholarship program, by Representatives Colloton and Decker.

**HB 2579.** An act concerning labor and employment; relating to employers' health care costs; establishing the fair share health care fund; penalties, by Representative Flaharty.

HOUSE CONCURRENT RESOLUTION No. 5021—

By Representative F. Miller, Brown, Huebert, Kinzer, Mast, McCreary, Olson  
and Pilcher-Cook

A CONCURRENT RESOLUTION urging the United States Congress to allow greater flexibility in the use of federal Title IV-E funding.

WHEREAS, Title IV-E is a subpart of the Social Security Act. This program provides federal reimbursement to states for the costs of children placed in foster homes or other types of out-of-home care under a court order or voluntary placement agreement. Title IV-E benefits are an individual entitlement for qualified children who have been removed from their homes; and

WHEREAS, The ability to blend foster care and family preservation funds is not presently allowed by federal law for the purpose of keeping children within their immediate or extended family and thus help reduce the number of children placed in foster care; and

WHEREAS, It is recognized that while foster care may be the inevitable outcome in a child in need of care situation, more stability is provided when children remain in the home, if possible, or in a relative placement; and

WHEREAS, It is recognized that moving children out of the home and away from family to be cared for by strangers in foster care is extremely traumatic for children: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the State of Kansas urges the United States Congress to immediately amend the appropriate sections of Title IV-E of the Social Security Act to allow greater flexibility in the use of federal funding for services that will assist in keeping children within their immediate or extended family, reintegrating children with their immediate or extended family or achieving safe alternative permanency to include subsidy for guardianship as well as adoption, and thus help reduce the number of children placed in foster care; and

*Be it further resolved:* That the State of Kansas urges the United States Congress to immediately de-link eligibility criteria from the 1996 Aid for Families with Dependent Children Standards and that the impact of this de-linking shall be cost-neutral; and

*Be it further resolved:* That the Secretary of State is directed to send enrolled copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Health and Human Services and to each member of the Kansas Congressional Delegation.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

On motion of Rep. Aurand, **HCR 5022**, by Reps. Mays and McKinney was introduced and adopted:

## HOUSE CONCURRENT RESOLUTION No. 5022—

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives meet in joint session in Representative Hall at 7:00 p.m. on January 9, 2006, for the purpose of hearing the message of the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5022**, Speaker Mays appointed Reps. Merrick, Hayzlett and Kuether to escort the Governor.

Also, Reps. C. Holmes, Wilk and Phelps to escort the Lieutenant Governor.

Also, Reps. O'Neal, Owens and Davis to escort the Supreme Court.

Also, Reps. Sloan, Neufeld and Kirk to escort the Senate.

**MESSAGE FROM THE SENATE**

Announcing adoption of **SCR 1801**, a resolution relating to the organization of the 2006 Senate and selection of the following officers:

Steve Morris, President,

John Vratil, Vice President,

Derek Schmidt, Majority Leader,

Anthony Hensley, Minority Leader,

Pat Saville, Secretary,

Jody Kirkwood, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

Also, announcing adoption of **SCR 1614**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2006 session of the Legislature is duly organized and ready to receive communication.

Also, announcing the appointment of Senators Brungardt and Steineger as Senate members of the committee to wait upon the Governor.

On motion of Rep. Aurand, **SCR 1614** was adopted.

In accordance with **SCR 1614**, Speaker Mays appointed Reps. C. Holmes, Freeborn and Gatewood to wait upon the Governor.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following prefiled bills and resolution were referred to committees as indicated (**HB 2579** will be referred and will appear in tomorrow's calendar):

Appropriations: **HB 2551, HB 2565, HB 2566, HB 2567, HB 2568, HB 2570, HB 2574; HCR 5021.**

Commerce and Labor: **HB 2560.**

Economic Development: **HB 2564.**

Education: **HB 2569, HB 2578.**

Environment: **HB 2549, HB 2556, HB 2558.**

Federal and State Affairs: **HB 2541, HB 2542, HB 2543, HB 2559.**

Governmental Organization and Elections: **HB 2544.**

Higher Education: **HB 2572, HB 2575.**

Insurance: **HB 2545, HB 2553.**

Judiciary: **HB 2540, HB 2547, HB 2552, HB 2554, HB 2555, HB 2557, HB 2562, HB 2563, HB 2571, HB 2576, HB 2577.**

Taxation: **HB 2548, HB 2573.**

Transportation: **HB 2546, HB 2550.**

Wildlife, Parks and Tourism: **HB 2561.**

**CHANGE OF REFERENCE**

The following bills were withdrawn from Committee on Corrections and Juvenile Justice and referred to committees as indicated:

Federal and State Affairs: **HB 2076, HB 2388.**

Judiciary: **HB 2061, HB 2062, HB 2081, HB 2151** (re-referred); **HB 2162, HB 2176, HB 2179, HB 2199, HB 2201, HB 2214, HB 2271, HB 2302, HB 2313, HB 2324, HB 2328, HB 2343, HB 2344, HB 2381, HB 2382, HB 2383, HB 2384, HB 2389, HB 2414, HB 2424, HB 2425, HB 2426; SB 25, SB 71, SB 89, SB 90, SB 117, SB 180.**

**INTRODUCTION OF GUESTS**

Speaker Mays introduced Dr. Joe Davison, Wichita, President of the Kansas Association of Family Physicians, which sponsor of the Doctor of the Day program providing daily assistance for health concerns of those serving the Statehouse during the session.

**COMMITTEE ASSIGNMENT CHANGES**

**Committee on Agriculture** — Rep. Lukert is appointed to replace Rep. Larkin; Rep. Trimmer is appointed to replace Rep. Lane.

**Committee on Appropriations** — Rep. Huy is appointed to replace Rep. Schwab; Rep. Yoder is appointed to replace Rep. Newton; Rep. Tafanelli is appointed to replace Rep. Flower.

**Committee on Commerce and Labor** — Rep. Schwab is appointed as Vice-Chair; Rep. Wolf is appointed to replace Rep. Yoder; Rep. Masterson is appointed to replace Rep. Jack; Rep. Roth is appointed to replace Rep. Swenson.

**Committee on Corrections and Juvenile Justice** — All members are removed.

**Committee on Economic Development** — Rep. Wolf is appointed to replace Rep. Novascone; Rep. Proehl is appointed to replace Rep. Roth.

**Committee on Education** — Rep. Swenson is appointed to replace Rep. Holmes; Rep. Loyd is appointed to replace Rep. Roth.

**Committee on Environment** — Rep. Lukert is appointed to replace Rep. Thull.

**Committee on Federal and State Affairs** — Rep. Kelsey is appointed to replace Rep. Huy; Rep. Brown is appointed to replace Rep. Novascone.

**Committee on Governmental Organizations and Elections** — Rep. Huebert is appointed Vice-Chair; Rep. S. Sharp is appointed to replace Rep. Huy; Rep. Sawyer is appointed Ranking Minority.

**Committee on Health and Human Services** — Rep. Holland is appointed Ranking Minority; Rep. Trimmer is appointed to replace Rep. Showalter.

**Committee on Insurance** — Rep. Trimmer is appointed to replace Rep. Phelps.

**Committee on Judiciary** — Rep. Kinzer is appointed Vice-Chair; Rep. Masterson is appointed to replace Rep. Newton; Rep. Roth is appointed to replace Rep. Jack.

**Committee on Taxation** — Rep. Lukert is appointed to replace Rep. Larkin.

**Committee on Transportation** — Rep. Wolf is appointed to replace Rep. Brown; Rep. Proehl is appointed to replace Rep. Jack.

**Committee on Utilities** — Rep. M. Holmes is appointed to replace Rep. Carter; Rep. Proehl is appointed to replace Rep. Huy.

**Education Budget Committee** — Rep. Yoder is appointed to replace Rep. Newton.

**General Government & Commerce Budget Committee** — Rep. Huy is appointed to replace Rep. Schwab.

**Legislative Budget** — Rep. Phelps is appointed to replace Rep. Showalter.

**Public Safety Budget** — Rep. Tapanelli is appointed to replace Rep. Flower.

**Select Committee on School Finance** — Rep. Crow is appointed Ranking Minority; Rep. Phelps is appointed to replace Rep. Larkin.

**Joint Committee on Administrative Rules and Regulations** — Rep. Pauls is appointed Ranking Minority; Rep. Treaster is appointed to replace Rep. Henry; Rep. Svaty is appointed to replace Rep. Ruff; Rep. Siegfried is appointed to replace Rep. Schwab.

**Joint Committee on Arts and Cultural Resources** — Rep. Garcia is appointed to replace Rep. Faust-Goudeau; Rep. Ruff is appointed to replace Rep. Svaty.

**Joint Committee on Economic Development** — Rep. Carlin is appointed to replace Rep. Dillmore; Rep. Schwab is appointed to replace Rep. Novascone.

**Joint Committee on Kansas Security** — Rep. Menghini is appointed to replace Rep. Showalter; Rep. Tapanelli is appointed to replace Rep. Flower.

**Joint Committee on Special Claims** — Rep. Peterson is appointed to replace Rep. Kirk; Rep. Pilcher Cook is appointed to replace Rep. Faber; Rep. Colloton is appointed to replace Rep. Yoder.

**Select Joint Committee on Energy** — Rep. Sloan is appointed Chair; Reps. Holmes, Freeborn, Knox, Kuether, Hawk are appointed as members.

On motion of Rep. Aurand, the House recessed until 6:30 p.m.

The House met pursuant to recess with Speaker Mays in the chair.

It being the hour in accordance with **HCR 5022** to meet in joint session with the Senate to hear the message of the Governor, Reps. Sloan, Neufeld and Kirk escorted President Morris and members of the Senate to seats in the House.

Reps. O'Neal, Owens and Davis and Senators Barnett and Francisco escorted the Supreme Court to seats in the House.

Reps. C. Holmes, Wilk and Phelps and Senators Journey and Betts escorted the Lieutenant Governor to a seat in the House.

Reps. Merrick, Hayzlett and Kuether and Senators Emler and Kelly escorted the Governor to the rostrum.

### **Governor Kathleen Sebelius' Complete Text of the State of the State**

#### **A New Direction: Hope in the Heartland**

Mr. Speaker, Mr. President, Madam Chief Justice, legislators, justices, Cabinet officers, elected officials, leaders of Indian nations, honored guests, and, most importantly, fellow Kansans.

We're gathered here tonight in the State Capitol, a building that stands as a testament to our forefathers' belief in the power of freedom and in the opportunities it provides.

Three years ago, those opportunities seemed dim. An economy in recession took a hard toll on Kansas families, and it starved Kansas schools. Rising health costs threatened businesses, while rising meth production threatened communities.

Many expressed doubts these challenges could be overcome. Some said they were too big to tackle. Others said we should wait for the federal government to act, or that we should do nothing at all.

To shrink from those challenges would go against everything it means to be a Kansan. We wouldn't be here tonight if the pioneers who settled our state had looked out upon the wide, open prairie and turned back saying the challenge was just too difficult. Instead, with conviction in their hearts and hope for the future, they moved forward.

I'm proud to say we too chose to face the challenges of our time, and our state is stronger, healthier and more prosperous as a result.

Hope has returned to the heartland.

Kansas is moving in a new direction and Kansans now have more tools to make the most of their own lives. But we couldn't have provided these tools without changing old habits which left state government essentially bankrupt.

From day one, my administration set out to cut waste in a state bureaucracy that lost its way. We did things as simple as selling cars and as complex as refinancing the highway plan. And we reduced the state workforce, so today there are fewer employees in state government than when I took office.

I'm proud to say we've changed the way government operates — returning our state to financial stability, and doing it without a tax increase.

This is a real victory for the people of Kansas, and I call upon the Legislature to sustain this victory by keeping spending in check. My administration will continue to lead the way by building on the nearly \$1 billion in savings and efficiencies we've found so far, finding new ways to reduce overhead and streamline government.

Cutting government waste not only helps taxpayers — it helps our economy. And it's the growing economy which is the greatest sign of our restored prosperity.

This prosperity hasn't come easily. When I took office, my first priority was to get our economy back on track.

We took action to provide job security for thousands of workers in our aircraft industry. We held Prosperity Summits around the state, bringing together business and community leaders to find ways to create jobs and invest in our future. We made a commitment to grow the biosciences industry in our state, to encourage the creation of small businesses, and to promote investment in rural areas.

Because of these actions, and the countless achievements of individual employers, Kansas has experienced 21 straight months of job growth. More Kansans are working than at any point in our state's history.

Let me be clear, these jobs aren't created by state government, and I will continue to fight any attempt to put government where private industry should be. But we've created tools to help existing businesses grow, and to recruit new companies to Kansas, and we're more prosperous for it.

We can't stop here. I want to build on those successes.

I believe we must continue to encourage development in our state's rural areas, and we must help all businesses by giving them an incentive to create jobs in Kansas. That's why I propose eliminating the property tax on new business machinery and equipment. It will encourage Kansas companies to invest in new technology to better compete around the world, and it will ensure our economy will continue to provide good jobs for Kansas workers.

Another way we're helping employers and employees alike is by investing in our schools. It had been five years since Kansas made a real investment in its children and in an educated workforce. During that time, parents and teachers saw class sizes increase and courses disappear; while businesses and homeowners watched their property taxes rise. We all wondered when the state would pay its fair share — when it would commit itself to ensuring first-class schools in every Kansas community.

I'm proud to say that changed last year when we made an historic investment in the future of our state. That investment is already reducing class sizes so children get more attention from their teachers, and it's ensuring those teachers receive the training they need to prepare our kids to enter the workforce.

This cannot be a one-time event. Just as our children grow and change, so must our schools, and that's why the budget I'll present to you builds on the investment made last year.

Earlier today, this Legislature received the results of its cost study. I again stand ready to work with you to meet this challenge with a multi-year effort to ensure all Kansas children have an education that will take them as far as they can dream.

But it isn't just about money. We can't spend our way to excellence.

Any new investment must include new accountability, which is why I've pushed so hard for audits of Kansas schools. We can continue to do better and even the best districts can improve. That's why my budget will include additional audits to hold school districts accountable and ensure we get the best possible return on our investment.

But while we invest in schools, we all recognize moms and dads are the first and best teachers for their children. I know Gary and I have worked hard to teach Ned and John the same lessons and values we learned growing up.

But parents today face new challenges that we didn't have when our children were younger. Video games and music lyrics promote violence, while ever-looser standards for movies and TV shows bring inappropriate material right into our living rooms. The Internet poses safety threats I never dreamed of when my boys were little.

Moms and dads shouldn't be alone in their fight to raise children the right way. They shouldn't be alone in their fight to instill the values that lead to a life of meaning, rather than a life wasted.

We can help parents by giving them access to tools to block inappropriate web sites, guides showing which TV shows and movies are family-friendly, and limits on access to violent video games. In the coming days, I will make these tools available to parents across Kansas.

There's other assistance we can provide. If we think back to our own childhoods, we can each remember those special individuals who, along with our parents, helped guide us. A little league coach. The neighbor down the street. The pastor of our church.

These special people are called mentors. But too many kids don't have a role model to follow.

Every Kansas parent deserves help pushing back popular culture so she can instill in her children the values that lead to a good life. Every Kansas child deserves someone he can look up to.

So tonight I'm launching "Kansas Mentors" — a statewide effort to strengthen Kansas children through the help of caring adult role models. I'm so pleased to introduce the man who has agreed to lead this important effort.

In his 17 years at K-State, he led his teams to victory. But he always knew his most important job was to lead his players to be better people. Please welcome someone who has mentored countless students on the field and off — Coach Bill Snyder.

Bill has agreed to continue his service to our state by helping recruit more volunteer mentors for Kansas kids, to raise awareness of the wonderful opportunities for mentoring in communities throughout Kansas, and to make it easier for adults to take some time to help Kansas children reach their God-given potential.

But our children cannot take advantage of life's opportunities if they're sick.

A lack of affordable health care is one of the greatest challenges we face, yet I've heard over and over that we should wait for the federal government to act.

More than one in ten of our neighbors has no health insurance. While we strive to reach our hopes and dreams, they have a different kind of hope — they hope they and their children won't get sick.

I don't believe we should allow Kansans to go without health care simply because Congress cannot, or will not, act. That's why affordable health care has been one of my top priorities. It's why I've worked every day to give Kansans the health care they need.

Forty-one thousand more Kansas kids have health insurance today than when I took office.

We've made discount medicines available to Kansans of all ages, and are giving help to seniors desperate to know which Medicare drug plan is right for them.

We're giving businesses new health insurance options for their employees and we've lowered health costs for state workers.

The Lt. Governor is leading an effort to use technology to increase quality, lower health costs and reduce medical errors.

But we have the opportunity — and the obligation — to do more.

Good health is important to every Kansan, but it's especially important for children in the first few years of life. An illness then can set back a child's development for years.

We can give our children the chance to grow up healthy and pursue all the opportunities life has to offer. We can cover every Kansas child from birth to age five, and we can do it this year.

The cost to the state will be minimal, but the benefit to 15,000 Kansas kids will be immeasurable. It will also ease financial pressure on moms and dads across our state, and let them have different hopes for their kids.

But the security that comes from knowing your kids can see a doctor, means little if you don't feel they're safe at the neighborhood playground.

Safety is important to every Kansan, but it's especially important to parents. I worried about my kids every minute they were out of my sight. They're now 21 and 24, and I still worry about them.

We can't eliminate every cause for worry, but we can surely take some common-sense steps to make our families safer.

A year ago, I called on the Legislature to put cold medicines behind the counter so meth makers couldn't get to them. Tonight, I'm happy to tell you meth labs in Kansas are down by 60 percent since you passed the Sheriff Matt Samuels Act.

That's a simple step that's made a real difference.

But I, and parents around Kansas, have been asking you for three years to take another step: to double prison sentences for sex offenders who prey on children. That's just common sense. The Attorney General joined me in this proposal, and yet the Legislature did nothing.

I ask you again to act — this year — because if these criminals are in prison, they can't hurt our children.

And when they've served their prison time, I want to require all repeat sex offenders wear electronic tracking devices — for the rest of their lives. These tracking bracelets will allow law enforcement officers to monitor their locations at all times. I've put money for this in my budget because, again, it's just common sense.

In addition to law enforcement, there's another group of Kansans who devote every day to keeping us safe.

Kansans have a long tradition of military service, and our state is home to four key military bases. To protect these critical assets, we brought together our congressional delegation, along with key legislators, business, community and military leaders, in 2004.

That effort resulted in a real success — for Kansas and for the defense of our country. Not only will all four of our state's major military bases stay open, but we'll also welcome the Big Red One back to Kansas.

At a time when many other states are losing troops, nearly 13,000 new military and civilian personnel will call Kansas home, spurring our state's economy. The Governor's Military Council will continue to ensure a successful transition and encourage additional growth in the future.

It's no secret that service to country is a core value for Kansans. Around the world, thousands of Kansans are courageously serving in the armed forces.

Until recently, a Kansan commanded all American forces, capping 40 years in the military with two terms as Chairman of the Joint Chiefs of Staff. He's a proud K-State graduate and tonight, he and his wife Mary Jo join us in the gallery. Please help me thank General Richard Myers for his service to our country and for his continuing service to Kansas.

In addition to General Myers, we have another military homecoming to celebrate.

A year ago, we wished Godspeed to a member of this Legislature — Lt. Col. Lee Tafanelli. We hoped and prayed for his safe return.

He and the men and women of the Kansas National Guard's 891st Engineering Battalion spent last year in Iraq, and I was honored to meet them during my trip there.

Colonel Tafanelli is Representative Tafanelli once again. Lee, we're happy for your safe return. Welcome back.

But as we welcome back one citizen soldier, we wish Godspeed to another.

John Potter started as an intern in this building ten years ago. Until recently he served as Chief of Staff to Speaker Mays. Now he's leaving for Iraq to serve a higher calling as a National Guard chaplain.

In times of danger, we turn to our faith in God to deliver courage and comfort. Chaplain Potter will bring both to the men and women he ministers to. Good luck, John. We're all praying for your safe return.

Indeed, we're praying for the safe return of all our men and women serving overseas. But we're also backing up our hopes and prayers with actions.

Last year, I proposed the Kansas Military Bill of Rights which shows our military families we recognize the sacrifices they make for us. We made it so the opportunity for a college education isn't lost if a parent or spouse falls in battle, and exempted recruitment and

retention bonuses from state taxes. And we gave Guard families a measure of financial security should a loved one fall while serving our nation.

One of the families which paid the ultimate price is the family of National Guard Staff Sgt. Clinton Wisdom who was killed while serving in Iraq.

His wife Janet now works with Kansas National Guard soldiers and their families, helping them receive the benefits they deserve. Janet is in the gallery tonight, and I ask you to join me in expressing our gratitude to her and to the other families in Kansas for the sacrifices they've made.

I intend to continue our help for those who defend us. I also propose we add a new tax check-off that will allow Kansans to donate to military families in need simply by checking a box on their tax returns. This is a great way to show our support for the soldiers, sailors, airmen and women, and Marines whose service allows us to pursue all the opportunities life has to offer.

These opportunities seem brighter tonight because hope has returned to the heartland.

We can continue our progress, but only if politics doesn't stand in the way. There will be plenty of time for campaigning later, so I ask you to join me in putting the people's hopes and dreams first.

After all, it was those hopes and dreams that first brought settlers to Kansas, including Christine Hokanson, who settled on a farm near Marquette in 1869.

She later wrote, "How grateful we are to God, who guided our steps to this wonderful country of the brave and the free, and who has helped and guided us through the struggles of the pioneer days. May His rich blessings rest on the coming generations as it was rested on the pioneers."

We, too, are blessed to live in Kansas, and to live here during a time of unprecedented opportunity.

We've been through a valley. We now stand atop a hill, looking toward the horizon and all the promise it has to offer.

Join me in fulfilling that promise. Join me in helping all Kansans achieve their hopes and dreams.

Before I close, I'd like to thank my husband and partner for the last 31 years, Gary Sebelius, and the rest of my family. Without their love and support, I wouldn't be here tonight.

I also owe a debt of gratitude to Lt. Governor John Moore, the cabinet members and staff, who do a great job for Kansans every day.

Most of all, I want to thank the people of Kansas for the honor of allowing me to serve as your governor.

Good night, and may God bless the great State of Kansas and the United States of America.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Tuesday, January 10, 2006.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

