

# Journal of the House

## FOURTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 27, 2006, 8:45 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 123 members present.  
Reps. Neufeld and O'Neal were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

Almighty God, we gather today as we prepare to celebrate the birthday of our common home. We gather in the heart of the heartland of our wonderful country, in a place called Kansas. We know that you know it, Lord, because you have blessed it and us with so much.

We thank you for plains rich with nature's grasses and grains, for crops that spring from rich earth and for cattle that graze where buffalo once roamed. We thank you for the people of Kansas, whose industry and imagination have propelled us toward the stars.

God of all creation, and of Kansas, bless this patch of your good earth. Make our home on the range a place where your will is lived and loved. Lead us to see your kingdom's goal and to work to bring it about here as it is in heaven. And may our celebration be blessed with a common thanksgiving for all that you have done for Kansas and for us. Amen.

The Pledge of Allegiance was led by Rep. Crow.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2746**, An act relating to motor vehicles; providing for the issuance of support our troops license plates; amending K.S.A. 2005 Supp. 8-1,141 and repealing the existing section, by Committee on Transportation.

**HB 2747**, An act concerning children in need of care; relating to reports of alleged abuse or neglect; amending K.S.A. 2005 Supp. 38-1522 and repealing the existing section, by Representative Hutchins.

**HB 2748**, An act concerning traffic violations; relating to the duties of drivers or occupants to report accidents; amending K.S.A. 8-1602 and K.S.A. 2005 Supp. 8-1606 and repealing the existing sections, by Representative Hutchins.

**HB 2749**, An act concerning governmental ethics; relating to gifts provided to certain state officers and employees; amending K.S.A. 2005 Supp. 46-237a and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2750**, An act concerning eminent domain; relating to land surveys; amending K.S.A. 12-1306, 24-438, 24-467, 26-201 and 72-8212a and repealing the existing sections, by Committee on Governmental Organization and Elections.

**HB 2751**, An act enacting the Kansas and Missouri regional investment district compact, by Committee on Taxation.

**HB 2752**, An act concerning health care; relating to trauma facilities; amending K.S.A. 2005 Supp. 75-5665 and 75-5666 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2753.** An act concerning workers compensation; relating to closure of claims; amending K.S.A. 2005 Supp. 44-523 and repealing the existing section, by Committee on Commerce and Labor.

**HB 2754.** An act enacting Miki's law; requiring registration of offenders convicted of certain felonies; prescribing penalties for certain violations; amending K.S.A. 12-16,123 and K.S.A. 2005 Supp. 22-3717, 45-221 and 75-5291 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2755.** An act concerning insurance; relating to uninsured motorist coverage; amending K.S.A. 40-284 and repealing the existing section, by Committee on Insurance.

**HB 2756.** An act amending the Kansas storage tank act; providing for the reimbursement of certain expenses; establishing the Kansas essential fuels supply trust fund and the Kansas essential fuel supply trust fund advisory board; amending K.S.A. 65-34,117 and K.S.A. 2005 Supp. 65-34,102 and repealing the existing sections, by Committee on Environment.

**HB 2757.** An act concerning oil and gas; relating to spill notification, by Committee on Environment.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

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

Appropriations: **HB 2743.**

Federal and State Affairs: **HB 2741; HB 2744** (separately); **HCR 5032.**

Financial Institutions: **HB 2735.**

Governmental Organization and Elections: **HB 2744** (separately).

Health and Human Services: **HB 2734, HB 2737, HB 2738, HB 2739.**

Higher Education: **HB 2745.**

Judiciary: **HB 2742; HCR 5033.**

Taxation: **HB 2733, HB 2736.**

Transportation: **HB 2740.**

Wildlife, Parks and Tourism: **HCR 5034.**

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 201, SB 271, SB 326, SB 327, SB 342, SB 372, SB 373.**

Announcing passage of **HB 2398.**

Also, announcing passage of **SB 317, SB 320, SB 325.**

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

**SB 201, SB 271, SB 317, SB 320, SB 325, SB 326, SB 327, SB 342, SB 372, SB 373.**

#### CONSENT CALENDAR

No objection was made to **HB 2602** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2555, HB 2608, HB 2609** appearing on the Consent Calendar for the second day.

In recognition of Kansas Day, Rep. Ballard led the members of the House in singing "Home on the Range."

#### INTRODUCTION OF GUESTS

Rep. Wilk introduced Danni Boatwright, Tonganoxie, who was Miss Kansas in 1996 and first runner-up for Miss U.S.A. She also recently was the winner of "Survivor Guatemala" on the CBS television network. Danni was accompanied to the House by her parents, Jim and Vicki Cackler.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2582,** An act concerning homeowners associations; relating to certain restrictive covenants; concerning notification of the annual meeting and budget, was considered on final action.

On roll call, the vote was: Yeas 121; 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, Dahl, Davis, DeCastro, Decker, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, 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, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: Crow, Dillmore.

Present but not voting: None.

Absent or not voting: Neufeld, O'Neal.

The bill passed, as amended.

**HB 2590**, An act concerning telecommunications; enacting the VoIP enhanced 911 act; imposing certain fees and providing for disposition thereof; amending K.S.A. 2005 Supp. 12-5323, 12-5328, 12-5330, 12-5334 and 19-101a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 23; Present but not voting: 0; Absent or not voting: 2.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Burroughs, Carlin, Carlson, Colloton, Cox, Craft, Crow, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Grange, Grant, Hawk, Henderson, Hill, Holland, C. Holmes, M. Holmes, Horst, Huff, Humerickhouse, Huntington, D. Johnson, E. Johnson, Kelsey, Kiegerl, Kilpatrick, Kirk, Knox, Krehbiel, Kuether, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, Menghini, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, Oharah, Olson, Otto, Owens, Pauls, Peterson, Phelps, Pilcher-Cook, Pottorff, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafanelli, Thull, Treaster, Trimmer, Vickrey, Wilk, Williams, Winn, Wolf, Yonally.

Nays: Brunk, Burgess, Carter, Dahl, Gordon, Hayzlett, Henry, Huebert, Hutchins, Huy, Kelley, Kinzer, Landwehr, McLeland, Merrick, Peck, Powell, Powers, Schwab, Ward, Watkins, Weber, Yoder.

Present but not voting: None.

Absent or not voting: Neufeld, O'Neal.

The bill passed, as amended.

**SB 164**, An act concerning cities; relating to quarterly reports of the city treasurer; amending K.S.A. 12-1608 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; 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, 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, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Light, Loganbill, Long, Loyd, Lukert, Mah, Mast, Masterson, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, M. Miller, Jim Morrison, Judy Morrison, Myers, O'Malley, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson,

Tafanelli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Neufeld, O'Neal.

The bill passed, as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Insurance** recommends **HB 2691**, **HB 2692** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2581** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2628**, **HB 2631** be passed.

**REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 20**, by Representative Wilk, congratulating Laura Romig on being named 2006 Junior Citizen of the Year by the Leavenworth-Lansing Chamber of Commerce;

**Request No. 21**, by Representative Wilk, congratulating Bob Euler on being named 2006 Citizen of the Year by the Leavenworth-Lansing Chamber of Commerce;

**Request No. 22**, by Representative Peck, congratulating Vernie Baldwin on his 96th birthday;

**Request No. 23**, by Representative Merrick, commending Dr. Richard Allen for his contributions to water resource protection;

**Request No. 24**, by Representative Pilcher-Cook, congratulating Ron Poplau on being one of four finalists for National Teacher of the Year; be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Aurand, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was thereupon introduced and read by title:

**HB 2758**, An act designating part of K-177 and U.S. 24 highways as the Coach Bill Snyder highway; amending K.S.A. 68-1022 and repealing the existing section, by Representative O'Malley and Aurand and Ballard, Burgess, Carlin, Carlson, Craft, Edmonds, Flora, Freeborn, Hawk, Hill, Horst, Knox, Owens, Pottorff, Schwartz, Tafanelli and Thull.

**REPORT ON ENGROSSED BILLS**

**HB 2582**, **HB 2590** reported correctly engrossed January 26, 2006.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Monday, January 30, 2006.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

