

# Journal of the House

THIRTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 1, 2006, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.  
The roll was called with 119 members present.  
Rep. Judy Morrison was excused on verified illness.  
Rep. Cox was excused on legislative business.  
Reps. Henderson, Henry, Jim Morrison and Schwab were excused on excused absence by the Speaker.

Prayer by guest chaplain, Bishop Scott J. Jones of Wichita, Kansas Area, United Methodist Church, guest of Reps. McKinney and Mays:

Almighty and ever-loving God,

We are a people who aspire to the highest ideals of humanity and human community. We seek the stars, but acknowledge the difficulties. We know that we are finite creatures, and part of your plan for our lives is to earn our living by the sweat of our brows, the toil of our muscles and the quick thinking of our minds. We pray today for wisdom on the part of our state's leaders, our governor, lieutenant governor, and especially the members of this house. As we seek to balance the differing desires and opinions of our people, as we seek to compromise between the desirable and the possible, as we seek to chart a way forward to improve the common good of our people, I ask four things. First, keep our hearts and minds focused on the common good more than narrow self interest, with a commitment to the highest of moral values. Second, give us a view of the long term rather than immediate but transitory solutions. Third, let us conduct our business with mutual respect, bipartisanship and a concern for all the people of our state. Fourth, I pray for healing for Representative Henry's son, Ted, following his car accident this weekend, that the healing which has taken place might continue and strengthen. Most of all, give us wisdom and the courage to do the right things. Amen.

The Pledge of Allegiance was led by Rep. Wolf.

## INTRODUCTION OF GUESTS

Rep. Roth introduced Marcy Roth who has been named Special Education Teacher of the Year. Marcy is from Salina and is the wife of Rep. Roth.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2989**, An act enacting the teacher-firefighter-police housing development act; By Committee on Federal and State Affairs.

**HB 2990**, An act enacting the healthy workplace act; relating to abusive work environments; prohibiting certain acts and providing certain remedies for violations, by Committee on Federal and State Affairs.

**HB 2991**, An act concerning fire protection; exempting certain buildings from certain fire protection statutes or rules and regulations enforced by the state fire marshal, by Committee on Appropriations.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills, appearing on the Calendar as "To Be Referred," were referred to committees as indicated:

Commerce and Labor: **SB 461**.  
 Federal and State Affairs: **SB 409, SB 508**.  
 Judiciary: **SB 337, SB 419, SB 458, SB 506, SB 512**.  
 Taxation: **SB 551**.  
 Transportation: **Sub. SB 253, SB 558**.

#### CHANGE OF REFERENCE

Speaker Mays announced the withdrawal of **HB 2948** from Committee on Commerce and Labor and referral to Committee on Taxation.

#### CONSENT CALENDAR

No objection was made to **HB 2786, HB 2796** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2786**, An act repealing K.S.A. 2005 Supp. 75-3317a, 75-3319a, 75-3320a and 75-3322a; concerning state procurement; relating to state purchase of products by certain qualified vendors, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, 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, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Proehl, Roth, Ruff, Ruiz, Sawyer, Schwartz, B. Sharp, S. Sharp, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafaneli, Thull, Treaster, Trimmer, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Wolf, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: Cox, Henderson, Henry, Jim Morrison, Judy Morrison, Schwab.

The bill passed.

**HB 2796**, An act relating to a Kansas horticulture industries survey; making and concerning appropriations for the Kansas department of agriculture for the fiscal years ending June 30, 2006, and June 30, 2007, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Freeborn, Garcia, Gatewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, 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, Myers, Neufeld, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff,

Powell, Powers, Proehl, Ruff, Ruiz, Sawyer, 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: Cox, Henderson, Henry, Jim Morrison, Judy Morrison, Roth, Schwab.

The bill passed.

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

#### COMMITTEE OF THE WHOLE

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

Recommended that **HCR 5029** be adopted.

Committee report to **HCR 5011** be adopted; and the resolution be adopted as amended.

Committee report to **HCR 5034** be adopted; also, on motion of Rep. Bethell to amend, the motion did not prevail, and the resolution be adopted as amended.

Committee report recommending a substitute resolution to **Sub. HCR 5030** be adopted; and the substitute resolution be adopted.

Committee report to **HR 6008** be adopted; and the resolution be adopted as amended.

Committee report recommending a substitute bill to **Sub. HB 2727** be adopted; also, on motion of Rep. Mast to amend, Rep. Dillmore requested a ruling on the amendment being germane to the bill. Rep. Mast subsequently withdrew the amendment and the substitute bill 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 2992**, An act concerning crime stoppers; establishing an advisory council; imposing certain fees; providing for certain grants, by Committee on Federal and State Affairs.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Thursday, March 2, 2006.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

