

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 4, 2009, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 122 members present.
Rep. Pottorff was excused on legislative business.
Reps. Bethell and Rardin were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,
Thank you for these men and women
who selflessly give of their
talent, time and energy . . .
to come in day after day
and tackle the issues
that affect all Kansans
no matter what some say.
Some live near and return home
at the end of the day.
Others, because of distance
in Topeka have to stay.
For their families I pray
that you help them find a way
to keep the home life normal
no matter come what may.
In the name of Christ, I pray, Amen.

The Pledge of Allegiance was led by Rep. Myers.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolutions were introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. 5012—

By Committee on Vision 2020

A CONCURRENT RESOLUTION memorializing the State of Kansas' desire for the United States Army Corps of Engineers to undertake a study of the Missouri River Basin under the auspices of the Flood Control Act of 1944, 33 C.F.R. 701 et seq., commonly known as the Pick Sloan Act, in order to provide the best information and service to all states in the Missouri River Basin, which includes major Missouri River tributaries in the State of Kansas.

WHEREAS, the Missouri River Basin includes the states of Wyoming, Montana, North Dakota, South Dakota, Nebraska, Iowa, Missouri and Kansas;

WHEREAS, The United States Army Corps of Engineers is charged with management and operation of a system of reservoirs and other projects in the Missouri River Basin;

WHEREAS, The United States Army Corps of Engineers manages the reservoirs and river system based upon concepts, principles, guidance and rules that were put in place after the Flood Control Act of 1944;

WHEREAS, There have been significant changes since 1944 in the physical, economic, social and environmental circumstances and needs of the citizens of the Missouri River Basin in management and operation of the Missouri River system;

WHEREAS, Changes in management and operation of the Missouri River system by the Corps of Engineers requires a study of the Missouri River Basin; and

WHEREAS, The state of Kansas supports legislation that would authorize and fund such a study: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature calls upon the United States Congress to authorize and appropriate funds for a study of the Missouri River Basin, to allow the United States Army Corps of Engineers to begin a study of the Missouri River and the Missouri River Basin to provide the information and analysis needed to update, change and modify the 1944 Flood Control Act, if appropriate, based on current data and the contemporary needs of the citizens of that basin in the management and operation of the various projects of the United States Army Corps of Engineers within that basin.

Be it further resolved: That the United States Army Corps of Engineers should cooperate with each and the several states in completing said study.

Be it further resolved: That the United States Congress should consider the input and needs of each state within the basin as it examines and approves the conclusions and recommendations for changes and modifications to management and operation of the Missouri River that are included in the final study produced by the United States Army Corps of Engineers and presented to the United States Congress.

Be it further resolved: That the Secretary of State be directed to send an enrolled copy of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chair of the United States House of Representatives Committee on Appropriations, the Chair of the United States House of Representatives Committee on Natural Resources, the Chair of the United States House of Representatives Committee on Transportation and Infrastructure, the Chair of the United States Senate Committee on Appropriations, the Chair of the United States Senate Committee on Environment and Public Works, the Chair of the United States Senate Committee on Energy and Natural Resources, the Assistant Secretary of the Army for Civil Works and each member of the Kansas Congressional delegation.

HOUSE CONCURRENT RESOLUTION No. 5013—

By Committee on Vision 2020

A CONCURRENT RESOLUTION memorializing that the appointed United States Assistant Secretary of the Army for Civil Works should form a relationship with and continue to partner with the State of Kansas in order to protect, preserve and extend the productive lives of reservoirs in Kansas.

WHEREAS, The State of Kansas, working by and through the Kansas Water Office and other agencies of the State of Kansas has developed sound, productive working relationships with the United States Army Corps of Engineers and the United States Assistant Secretary of the Army for Civil Works for water resource issues within the purview of those entities that are important to the State of Kansas; and

WHEREAS, The reservoirs in Kansas were originally built with a projected lifespan of 100 years or less and many of those reservoirs are approaching or have past the halfway point of that original design life; and

WHEREAS, Kansas reservoirs built by the United States Army Corps of Engineers are an important source of water supplies directly and indirectly to approximately 65 percent of Kansans and those reservoirs are facing sedimentation and other issues as they age; and

WHEREAS, The United States Army Corps of Engineers has not included public water supply as an organizational mission, purpose or goal of the Corps of Engineers; and

WHEREAS, The importance of reservoirs as public water supply resources to Kansas is vital to the vitality of Kansas now and in the future; and

WHEREAS, The United States Army Corps of Engineers should include such a public water supply preservation and protection mission at Kansas reservoirs to insure that public water supply sources in reservoirs are protected and maintained and take all necessary and prudent action to protect the reservoirs as a public water supply resources; and

WHEREAS, The State of Kansas has enjoyed a good working relationship with the Assistant Secretary of the Army for Civil Works to address reservoir issues and other issues falling within the purview of Assistant Secretary of the Army for Civil Works: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature calls upon the newly appointed Assistant Secretary of the Army for Civil Works to form a working relationship with the State of Kansas to address any and all issues falling within the purview of the Assistant Secretary of the Army for Civil Works to work to extend the productive lives of reservoirs and to continue the work that has begun in those reservoirs of the State of Kansas.

Be it further resolved: That the Assistant Secretary of the Army for Civil Works should work with the state of Kansas to identify appropriate changes to the Corps of Engineers to include water supply as a key mission and direct the Corps of Engineers to develop plans to extend the useful lives of the reservoirs past their original design life.

Be it further resolved: That the Secretary of State be directed to send an enrolled copy of this resolution to the Assistant Secretary of the Army for Civil Works, the Commissioner of the Bureau of Reclamation and each member of the Kansas Congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2362**.

Appropriations: **HB 2360**, **HB 2361**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2077** from Committee on Federal and State Affairs and rereferral to Committee on Elections.

Also, the withdrawal of **HB 2350** from Committee on Health and Human Services and referral to Committee on Insurance.

CONSENT CALENDAR

No objection was made to **SB 77** appearing on the Consent Calendar for the first day.

No objection was made to **SB 82** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 82, An act repealing K.S.A. 2008 Supp. 65-1,214; relating to residential childhood lead poisoning prevention; concerning sunset provision, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Benlon, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Bethell, Pottorff, Rardin, Tafanelli.

The bill passed.

HB 2206, An act concerning abortion; regarding restrictions on late term and partial birth abortions; amending K.S.A. 65-445, 65-6701, 65-6703, 65-6709 and 65-6721 and K.S.A. 2008 Supp. 65-2836 and repealing the existing sections; also repealing K.S.A. 65-6713, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 82; Nays 40; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Bowers, Brookens, A. Brown, Brunk, Burgess, Burroughs, Carlson, Coloton, Craft, Crum, DeGraaf, Donohoe, Faber, Feuerborn, Frownfelter, Fund, D. Gatewood, S. Gatewood, George, Goico, Grange, Grant, Hayzlett, Henry, Hermanson, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Long, Lukert, Maloney, Mast, McLeland, Merrick, Morrison, Moxley, Myers, Navinsky, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Rhoades, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Svaty, Swanson, Swenson, Tafanelli, Vickrey, Watkins, Wetta, Whitham, Williams, B. Wolf, Yoder.

Nays: Ballard, Benlon, T. Brown, Carlin, Crow, Davis, Dillmore, Finney, Flaharty, Furtado, Garcia, Gordon, Goyle, Hawk, Henderson, Hill, Huntington, Johnson, Kuether, Lane, Loganbill, Mah, McCray-Miller, Menghini, Neighbor, Proehl, Quigley, Roth, Ruiz, Sawyer, Slattery, Sloan, Spalding, Talia, Tietze, Trimmer, Ward, Winn, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Pottorff, Rardin.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I agree with making the reporting more precise. I agree in clarifying the several standards set out in the bill. I do not agree with the enhanced enforcement provisions. We don't do this in other areas and shouldn't do it here, either. It opens up litigation's doors beyond what is necessary to address the wrong, at a great cost to our budget. I vote yes on **HB 2206**.—J. ROBERT BROOKENS

MR. SPEAKER: I agree with making the reporting more precise. I do not agree with the enhanced enforcement provisions. We don't do this in other areas and shouldn't do it here, either. It opens up litigation's doors beyond what is necessary to address the wrong, at a great cost to our budget. I vote yes on **HB 2206**.—PAT COLLOTON

MR. SPEAKER: We vote NO on **HB 2206**. This bill does NOTHING to prevent unintended pregnancies or reduce the number of abortions in Kansas.

HB 2206 requires more regulating requirements on both a doctor and on the Kansas Department of Health and Environment.

HB 2206 puts the knowledge and best medical judgment of a woman's physician secondary to that of the political and moral beliefs of legislators.

No one supports abortion. We would hope that any woman who chooses to terminate a pregnancy would do so after counsel from her family, her doctor and her God.—TERRIE HUNTINGTON, SHERYL SPALDING, KAY WOLF, CINDY NEIGHBOR, JULIE MENGhini, ANNIE KUETHER, ANN MAH, DOLORES FURTADO, CHARLES ROTH, JILL QUIGLEY, SYDNEY CARLIN, GERALDINE FLAHARTY, LANA GORDON, MILACK TALIA, TOM SLOAN, JUDITH LOGANBILL, LISA BENLON

HB 2311, An act concerning service of process; relating to private detectives; amending K.S.A. 60-303 and 61-3003 and repealing the existing sections; also repealing K.S.A. 61-3003a, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Ballard, Benlon, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, S. Gatewood, George, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Faber, Feuerborn, D. Gatewood, Gordon.

Present but not voting: None.

Absent or not voting: Bethell, Pottorff, Rardin.

The bill passed.

SB 102. An act concerning emergency medical services; relating to use of automated external defibrillator; amending K.S.A. 2008 Supp. 65-6149a 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: 3.

Yeas: Aurand, Ballard, Benlon, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Bethell, Pottorff, Rardin.

The bill passed, as amended.

SB 219. An act concerning retirement and pensions; relating to the Kansas public employees retirement system; death and disability benefits; employer contributions; amending K.S.A. 2008 Supp. 74-4927 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: 3.

Yeas: Aurand, Ballard, Benlon, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Ruiz, Sawyer, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.
 Present but not voting: None.
 Absent or not voting: Bethell, Pottorff, Rardin.
 The bill passed.

H. Sub. for SB 238, An act concerning abortion; regarding the woman's right-to-know act; amending K.S.A. 65-6709 and 65-6710 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Aurand, Bowers, A. Brown, Brunk, Burgess, Carlson, Colloton, Craft, Crum, DeGraaf, Donohoe, Faber, Feuerborn, Frownfelter, Fund, D. Gatewood, George, Goico, Goyle, Grange, Grant, Hayzlett, Henry, Hermanson, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Long, Lukert, Mah, Maloney, Mast, McLeland, Merrick, Morrison, Moxley, Myers, Navinsky, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Powell, Prescott, Proehl, Rhoades, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, Swenson, Tafanelli, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, Yoder.

Nays: Ballard, Benlon, Brookens, T. Brown, Burroughs, Carlin, Crow, Davis, Dillmore, Finney, Flaharty, Furtado, Garcia, S. Gatewood, Gordon, Hawk, Henderson, Hill, Huntington, Johnson, Kuether, Lane, Loganbill, McCray-Miller, Menghini, Neighbor, Quigley, Roth, Ruiz, Sawyer, Sloan, Talia, Tietze, Trimmer, Winn, K. Wolf, Worley.

Present but not voting: None.
 Absent or not voting: Bethell, Pottorff, Rardin.
 The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: The cost of **H. Sub. for SB 238** is huge at a time we hesitate to fund basic state functions. We already have in place good controls and notices without production of a video at state expense. We should re-work, pick and choose the parts we ought to pass and discard the over-reaching and expensive parts. I vote no on **H. Sub. for SB 238**.—J. ROBERT BROOKENS

MR. SPEAKER: We vote NO on **H. Sub. for SB 238**. **H. Sub. for SB 238** does NOTHING to prevent unintended pregnancy or reduce the number of abortions in Kansas.

This bill denies the patient and her family ease of full and comprehensive access to reproductive health services. It also causes more bureaucracy within the Kansas Department of Health and Environment.

We support age-appropriate comprehensive sexuality education in public schools as the best deterrent of unplanned, unwanted pregnancies.—SEAN GATEWOOD, ANNIE KUETHER, CINDY NEIGHBOR, DOLORES FURTADO, CHARLES ROTH, JILL QUIGLEY, MILACK TALIA, JULIE MENGhini, GERALDINE FLAHARTY, SYDNEY CARLIN, TOM SLOAN, LISA BENLON, JUDITH LOGANBILL

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2343** 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 **Judiciary** recommends **SB 132** be amended on page 1, in line 36, by striking "article 4" and inserting "sections 23 through 28, and amendments thereto";

On page 2, in line 8, by striking "article 5" and inserting "sections 29 through 34, and amendments thereto";

On page 3, in line 8, by striking "article"; in line 9, by striking "3" and inserting "sections 17 through 22, and amendments thereto";

On page 6, in line 31, after the semicolon by inserting "and"; in line 37, by striking "this article" and inserting "sections 11 through 16, and amendments thereto"; in line 42, by striking "this article" and inserting "sections 11 through 16, and amendments thereto,"; in

line 43, by striking “this article” and inserting “sections 11 through 16, and amendments thereto.”;

On page 7, in line 3, by striking “This article does” and inserting “Sections 11 through 16, and amendments thereto, do”; in line 18, by striking “this article” and inserting “sections 11 through 16, and amendments thereto.”;

On page 9, in line 26, by striking “this article” and inserting “sections 11 through 16, and amendments thereto.”;

On page 12, in line 10, by striking “this article” and inserting “sections 17 through 22, and amendments thereto”; in line 20, by striking “this article” and inserting “sections 17 through 22, and amendments thereto.”; in line 22, by striking “this article” and inserting “sections 17 through 22, and amendments thereto.”; in line 30, by striking “this article” and inserting “sections 17 through 22, and amendments thereto.”;

On page 15, in line 6, by striking “this article” and inserting “sections 17 through 22, and amendments thereto”;

On page 16, in line 28, by striking “this article” and inserting “sections 23 through 28, and amendments thereto”; in line 33, by striking “this article” and inserting “sections 23 through 28, and amendments thereto.”; in line 41, by striking “this article” and inserting “sections 23 through 28, and amendments thereto.”;

On page 19, in line 7, by striking “this article” and inserting “sections 23 through 28, and amendments thereto.”;

On page 21, in line 18, by striking “this article” and inserting “sections 29 through 34, and amendments thereto”; in line 22, by striking “this article” and inserting “sections 29 through 34, and amendments thereto.”; in line 26, by striking “this article” and inserting “sections 29 through 34, and amendments thereto.”;

On page 24, in line 1, by striking “this”; in line 2, by striking “article” and inserting “sections 29 through 34, and amendments thereto.”;

On page 36, in line 36, by striking “This article is” and inserting “K.S.A. 56a-901 through 56a-908, and amendments thereto, are”;

In the title, in line 10, by striking “transaction” and inserting “transactions”; and the bill be 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 were thereupon introduced and read by title:

HB 2363, An act concerning sexually violent predators; relating to placement into the community; amending K.S.A. 2008 Supp. 59-29a11 and repealing the existing section, by Committee on Appropriations.

HB 2364, An act concerning court procedure; time limitations for filing; amending K.S.A. 23-106, 23-9,307, 59-2947, 59-3052, 59-3073, 60-703, 60-906, 60-1503 and 61-3803 and K.S.A. 2008 Supp. 38-2229, 38-2232, 38-2242, 38-2243, 38-2260, 38-2343, 38-2361, 38-2366 and 60-206 and repealing the existing sections, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6016—

By Representative Gordon

A RESOLUTION encouraging participation in the American Public Health Association and the Kansas Public Health Association Public Health Week, April 6-12, 2009.

WHEREAS, April 6-12 has been designated as National Public Health Week in Kansas; and

WHEREAS, Our nation spends more on health care than any other country, yet our health care system is failing and leaving millions of Americans vulnerable; and

WHEREAS, American infant mortality rates are three times higher than those in some developing countries; and

WHEREAS, Ethnic minority populations have nearly eight times higher mortality rates for key health conditions, such as diabetes, than that for non-minority populations; and

WHEREAS, America has made the top 10 list of countries with the most HIV/AIDS infected people; and

WHEREAS, Despite these challenges, public health professionals have contributed to dramatic progress over the last century through many advances such as adding fluoride to our drinking water, introducing seat belt laws and eliminating polio; and

WHEREAS, Successful health care reform is impossible without the support of a strong public health infrastructure; and

WHEREAS, Through support of the country's public health system, we can build on the successes of the past and establish the solid foundation needed for a healthy state and nation; and

WHEREAS, We support these efforts and call upon the people of Kansas to observe this week by helping our families, friends, neighbors, co-workers and leaders better understand the importance of public health to a successful health care system in light of this year's theme, "*Building the Foundation for a Healthy America*": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we support the efforts of the American Public Health Association and the Kansas Public Health Association to recognize the week of April 6—12, 2009, as National Public Health Week; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide an enrolled copy of this resolution to Elaine L. Schwartz, Kansas Public Health Association, P.O. Box 67085, Topeka, KS, 66667.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, March 5, 2009.

SUSAN W. KANNARR, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

