

Journal of the House

EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 21, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 121 members present.
Reps. Donohoe and Trimmer were excused on verified illness.
Reps. George and King were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord,
Have you noticed the yellow
envelopes the last few days.
They are everywhere!
To look at them, they seem insignificant . . .
yellow — blank — large —
probably purchased cheap with the Easy button.
Yet what is inside makes all the difference.
Bills and resolutions representing the
heartbeat and passion of our people.
The issues stated inside these envelopes
will call for much discussion and debate.
God help us to realize that no matter
how *we* might look on the outside,
it is what is inside us that counts
and is revealed in our words and actions.
Search our hearts, O God,
and give us hearts of compassion and respect.
I pray for Rep. Trimmer and the injuries
he sustained from a fall. Please
bring a speedy and complete recovery to him.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Kerschen.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2496, An act concerning income taxation; relating to income tax credits; expenditures for restoration and preservation of certain historic structures; amending K.S.A. 2009 Supp. 79-32,211 and repealing the existing section, by Committee on Taxation.

HB 2497, An act concerning unclaimed property; regarding tax information; disclosure of information to the state treasurer for the purpose of locating unclaimed property owners; amending K.S.A. 2009 Supp. 79-3234 and repealing the existing section, by Committee on Local Government.

HB 2498, An act relating to drivers' licenses; concerning certain restricted licenses; amending K.S.A. 2009 Supp. 8-296 and 8-2,101 and repealing the existing sections, by Committee on Transportation.

HB 2499, An act regulating traffic; concerning distracted driving; amending K.S.A. 2009 Supp. 8-2118 and repealing the existing section, by Committee on Transportation.

HB 2500, An act concerning cities and municipalities; relating to municipal insurance pools; amending K.S.A. 12-2618 and repealing the existing section, by Committee on Insurance.

HB 2501, An act concerning insurance; relating to the liability of mortgage guaranty insurance companies; amending K.S.A. 40-3512 and repealing the existing section, by Committee on Insurance.

HB 2502, An act establishing the child witness protection act, by Committee on Corrections and Juvenile Justice.

HB 2503, An act concerning the department of corrections; relating to the inspection of department of corrections entities and facilities; amending K.S.A. 75-5251 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2504, An act concerning crimes, criminal procedure and punishment; relating to the calculation of good time credits for inmates on postrelease supervision; amending K.S.A. 21-4722 and K.S.A. 2009 Supp. 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2505, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; discharge of an inmate by the parole board; amending K.S.A. 22-3722 and K.S.A. 2009 Supp. 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2506, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; considerations of the parole board when determining eligibility; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2507, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; conditions of parole and postrelease supervision; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2508, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; deferral of parole board hearings; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2509, An act concerning the commitment of sexually violent predators; relating to notice of release into a work release program; amending K.S.A. 59-29a03 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2510, An act amending the vehicle dealers and manufacturers licensing act; relating to temporary vehicle registration; amending K.S.A. 8-2409 and repealing the existing section, by Committee on Federal and State Affairs.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfried, **HCR 5027**, by Reps. O'Neal, Merrick and Siegfried, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. 5027—

A CONCURRENT RESOLUTION endorsing Taiwan's participation as an observer in the International Civil Aviation Organization (ICAO) and United Nations Framework Convention on Climate Change (UNFCCC).

WHEREAS, Civil aviation plays a pivotal role in promoting cultural exchange, business, trade and tourism; and

WHEREAS, The development of international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO); and

WHEREAS, Taiwan is the world's 20th largest economy, the 18th largest trading country and a key air transport hub linking Northeast and Southeast Asia; and

WHEREAS, Over 174,000 international flights travel to and from Taiwan, with foreign passengers making around 3.8 million trips to the island every year and over 35 million passengers, including 25.39 million passengers on international flights, arrived and departed from Taiwan's airports in 2008; and

WHEREAS, Without Taiwan's participation, international flight plans, regulations and procedures that the ICAO formulates will be incomplete and unsafe: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas legislature endorses Taiwan's participation in the International Civil Aviation Organization as an observer; and

Be it further resolved: That the Kansas legislature is supportive of all efforts to grant Taiwan official observer status at the United Nations Framework Convention on Climate Change (UNFCCC) because climate change has become a global challenge, as a collaborative partner of the United States on a wide range of public issues, Taiwan should be afforded the opportunity to participate in the global efforts aimed at reducing carbon emissions, preventing global warming and natural disasters; and

Be it further resolved: That copies of this resolution be sent to the United States Secretary of State, the United States Secretary of Transportation and to each member of the Kansas Congressional Delegation and to the Director-General of the Taipei Economic and Cultural Office in Kansas City.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2493**; **HB 2495** (jointly).

Corrections and Juvenile Justice: **HB 2489**.

Energy and Utilities: **HB 2488**.

Insurance: **HB 2490**, **HB 2491**, **HB 2492**.

Judiciary: **HB 2494**.

Local Government: **HB 2479**, **HB 2487**.

Taxation: **HB 2495** (jointly).

Transportation: **HB 2481**, **HB 2482**, **HB 2483**, **HB 2484**, **HB 2485**, **HB 2486**.

Veterans, Military and Homeland Security: **HB 2480**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2461** from Committee on Social Services Budget and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **HB 2472** from Committee on Judiciary and referral to Committee on Local Government.

COMMUNICATIONS FROM STATE OFFICERS

From Martin Kennedy, Acting Secretary, Kansas Department on Aging, Annual Report, SFY 2009 - July 1, 2008-June 30, 2009.

From Terry L. Maple, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, report regarding state forfeiture funds.

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Bethell, **HR 6006**. A resolution declaring January as Kansas Mentoring Month, was adopted.

There being no objection, the following remarks by Reps. Hawk and Bethell are spread upon the journal:

Representative Hawk: It is an honor for me and Rep. Bethell to recognize the work of Coach Bill Snyder, of my K-State Wildcats, and Ella Todd, the Executive Director of the Kansas Mentoring Program, for mentoring month. I would like to share the following impacts, statistics and stories of our success in Kansas.

Impact of Mentoring

National research indicates mentored youth are more likely to . . .

- Stay in school & improve their grades
- Graduate from high school & enroll in college

- Be active in their communities
- Be hopeful about their futures

And mentored youth are less likely to . . .

- Begin using illegal drugs & alcohol
- Skip school
- Engage in violent & criminal behaviors

Source: “*Mentoring: A Promising Strategy for Youth Development*,” *Child Trends*, 2002

Kansas specific statistics:

And we are seeing those positive results in Kansas. In SFY 2009, Kansas Mentors’ grant recipients reported:

- 72% of mentored youth, on average, increased academic achievement as a result of the mentoring relationship
- 82% of mentored youth, on average, improved self-confidence as a result of the mentoring relationship

In addition, several programs reported individual accomplishments, including:

- 76% of mentored youth improved their attitude towards school
- 80% of mentored youth improved their relationships with peers
- 66% of mentored youth improved their ability to avoid substance abuse & delinquency

The Economic Impact

Ensuring the success of our youth is more than just a social issue; their preparedness for work and life truly affect our state’s economic future.

- During the 2007-2008 school year, 3,641 Kansas students dropped out of high school.
- For just that one group of students, it is estimated that they cost the nation approximately \$946 million in lost earnings, taxes and productivity over the course of their lifetimes.
- And mentoring can help — it is an evidence-based strategy that is proven to keep kids from engaging in risky behaviors, help them graduate from high school, and open their horizons to new career opportunities.

Source: “*Dropouts, Diplomas and Dollars: US High Schools and the Nation’s Economy*,” *Alliance for Excellent Education*, August 2008

Statewide Distribution

Through the Kansas Mentors effort, over 175 mentoring programs have been identified statewide. Collectively, these programs serve 86 of Kansas’ 105 counties; partnering with our schools, community organizations and places of worship to provide these much-needed services for our young people.

Today, we have with us mentoring matches and staff from several Kansas mentoring programs, including:

- Youth Horizons, a faith-based mentoring program from Wichita
- Kansas Big Brothers Big Sisters, a statewide school, community and faith-based mentoring program
- 4-H Youth Development, a statewide community-based mentoring program

Mentoring is Successful — Stories from Kansas’ Efforts

Stories about the success of mentoring can be heard throughout Kansas; here are a selected few:

In Wichita, a mentee is now grown-up and an accomplished Captain in the City’s Police Department. He credits his success to the mentor he had throughout his developmental years, who also happened to be a police officer.

Another success story comes from a community-based program in Garden City. The pair is beginning their third year together and as a result of their match the young teen has seen improvements in both his grades and behavior. In addition, their relationship has opened up new career options for the youth. The mentor, a John Deere technician, has taught the

young man how to weld and work with metal - developing a positive, creative outlet for the mentee.

In Bennington, a mentoring pair were able to overcome a young boy's eyesight ailment — a feat that helped to improve his reading skills and overall academic success. The mentor, an energetic high school student, provided constant motivation and support as the young mentee worked through his eye therapy — a painful and frustrating process. The high-school female even donned an embarrassing pair of therapeutic glasses with multi-colored lenses to help read to the young boy. While the therapy was happily discontinued, the relationship continues.

In addition, Coach Bill Snyder, co-chair of the Kansas Mentors program, has also joined us to represent the dedicated efforts of all programs statewide.

Representative Bethell: Today we are here to bring attention to a program that is designed to make this world and our society better on a long term basis. This cannot be said about everything that is done in our life. As those of us in this body realize we are but a microcosm of society and we must admit that many times we deal with the temporal issues of life; a good meal, a sporting event, a night at the theater, a social event and the list goes on. The program that we bring before you today is one that can make the difference in the future of the world.

Someone once said that in 100 years this world will not be concerned about the house we lived in, the car we drove, the result of the super bowl, but the world may be changed because of our involvement in the life of a young person.

Mentoring is something that should be a part of each of our lives. While I am pleased to have Coach Snyder and these young people here today and bring attention to the results of this program, I would encourage all who are in this chamber today and those who will hear and read these comments to evaluate our involvement in the lives of the young who surround us. Are we the example we want of the mentors, or is that something we want them to do because it is easier when we don't have to be involved?

Coach Snyder, thank you for taking the lead to show the way that we should walk. May we all learn from your example what will make a difference.

I won't take the time to present all of the benefits that this program brings to our society but I will ask Mr. Speaker that these remarks be spread across the Journal so we and those who come behind us will have the opportunity to review the benefits of being good mentors.

A framed copy of the resolution was presented to Coach Bill Snyder and the rest of the group.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Merrick, **HCR 5025**, A concurrent resolution amending joint rule 4 of the senate and house of representatives for the 2009-2010 biennium, was adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Education Budget** recommends **HB 2414** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT OF STANDING COMMITTEE

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

Request No. 8, by Representative Gordon, commending Colin C. Johnson, Boy Scout Troop 59, on attaining the rank of Eagle Scout;

Request No. 9, by Representative Olson, congratulating Jennifer Snyder for her participation in the Inaugural Class of the Kansas Academy of Mathematics and Science;

Request No. 10, by Representative Olson, congratulating Isaac Cook for her participation in the Inaugural Class of the Kansas Academy of Mathematics and Science;

Request No. 11, by Representative Carlson, commending Brad Standlee on attaining the rank of Eagle Scout;

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. Merrick, 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 bills were thereupon introduced and read by title:

HB 2511, An act concerning children in need of care; relating to reimbursement of costs of care for child in a grandparent's custody; amending K.S.A. 2009 Supp. 38-2255 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2512, An act concerning children in need of care; relating to powers of the court; amending K.S.A. 75-3330 and K.S.A. 2009 Supp. 38-2242, 38-2243, 38-2252, 38-2255, 38-2258, 38-2259, 38-2263, 38-2264 and 38-2270 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2513, An act concerning children in need of care; relating to runaways; amending K.S.A. 2009 Supp. 38-2231 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2514, An act concerning trusts; relating to the capacity of the settlor of revocable trusts; amending K.S.A. 58a-601 and repealing the existing section, by Committee on Judiciary.

HB 2515, An act concerning cities and counties; relating to residential fire protection sprinkler systems, by Committee on Commerce and Labor.

HB 2516, An act concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; creating the Kansas agricultural opportunity act; amending K.S.A. 2009 Supp. 74-8734, 74-8741, 74-8744, 74-8747, 74-8751 and 74-8768 and repealing the existing sections, by Committee on Appropriations.

On motion of Rep. Merrick, the House adjourned pro forma until 9:00 a.m., Friday, January 22, 2010.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

