

# Journal of the House

## ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 26, 2010, 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. Donohoe was excused on verified illness.  
Rep. C Holmes was excused on legislative business.  
Rep. Hill was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Kenneth J. Harder, senior pastor, Emmanuel Mennonite Church, Meade, and guest of Rep. Neufeld:

Dear heavenly Father,

I ask for your guidance for us and all the members of this house as we gather today. Grant that we would be bold and not indecisive in our representative role, and that we would be guided by your divine wisdom. Help the men and women duly appointed to this task of governing in this great state to be people of integrity. Let them be honest in all their dealings and forthright in all their discussions. May the discussions and the subsequent decisions rendered today here in this chamber be in accordance with your will. Deliver each one from the temptation to be divided by party lines and the whims of personal agendas but that there will be a coming together for the purpose of governing in the truth.

Forgive us for our shortcomings, arrogance and rebellion. Give us a true compassion for the poor and each other so that this great state may continue to be a beacon in a dark world. Help us to avoid the pitfall of calling evil good and good evil, make us ever more mindful of the fact that ideas and words have lasting consequences.

Give wisdom oh God so a solution may be found to the budget issues which plague this great state of Kansas. Bless us again as you have in the past.

For your honor and glory, in Christ's Name, Amen!

The Pledge of Allegiance was led by Rep. Quigley.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2536**, An act concerning the duties of registered nurse anesthetists; amending K.S.A. 65-1158 and repealing the existing section, by Committee on Health and Human Services.

**HB 2537**, An act concerning alcoholic beverages; amending K.S.A. 41-210, 41-211, 41-304, 41-307, 41-308, 41-601, 41-602, 41-701, 41-708, 41-717, 41-718, 41-724, 41-725, 41-726, 41-729, 41-806, 41-901, 41-905, 41-1001, 41-1002, 41-1004, 41-1101, 41-1102, 41-1122, 41-1123, 41-1125, 41-2604, 41-2610, 41-2614, 41-2632, 41-2643, 41-2705, 41-2706, 41-2707, 41-2709, 41-2722, 41-2726, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2009 Supp. 41-102, 41-104, 41-209, 41-308b, 41-712, 41-805, 41-2611, 41-2637, 41-2641, 41-2642, 41-2645, 41-2701, 41-2704, 41-2728, 79-3606, 79-4108 and 79-41a03 and repealing the existing sections; also

repealing K.S.A. 41-103 and 41-2712 and K.S.A. 2009 Supp. 41-2702, 41-2703 and 41-2708, by Committee on Federal and State Affairs.

**HB 2538**, An act concerning the promoting employment across Kansas act; relating to qualifications for benefits under the act; amending K.S.A. 2009 Supp. 74-50,211, 74-50,212 and 74-50,213 and repealing the existing sections, by Committee on Taxation.

**HB 2539**, An act concerning school districts; relating to school finance; amending K.S.A. 2009 Supp. 72-6434 and 72-64b01 and repealing the existing sections, by Representative Aurand.

**HB 2540**, An act concerning municipal bonds; amending K.S.A. 10-131 and repealing the existing section, by Committee on Government Efficiency and Fiscal Oversight.

**HB 2541**, An act enacting the Kansas illegal immigration relief act; amending K.S.A. 2009 Supp. 8-240, 8-1324, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 76-731a, by Committee on Local Government.

**HB 2542**, An act relating to motor vehicles; concerning drivers' licenses; amending K.S.A. 8-234b and K.S.A. 2009 Supp. 8-235 and repealing the existing sections, by Representative Horst.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2534**; **SB 348**.

Energy and Utilities: **HB 2526**.

Federal and State Affairs: **HB 2527**, **HB 2533**.

Judiciary: **HB 2525**, **HB 2528**, **HB 2529**, **HB 2530**, **HB 2531**, **HB 2532**.

Local Government: **HB 2524**.

Transportation: **HB 2535**.

#### CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2445** from Committee on Agriculture and rereferral to Committee on Veterans, Military and Homeland Security.

Also, the withdrawal of **HB 2432** from Committee on Corrections and Juvenile Justice and referral to Committee on Judiciary.

#### COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Deputy Director, State Employee Health Plan, Kansas Health Policy Authority, in compliance with K.S.A. 75-6509, Kansas State Employees Health Care commission 2009 Annual Report. The report is contained on a compact disc (cd).

The complete report is 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. George, **HR 6008**, A resolution congratulating Benedictine College for its 152 years of service to the people of Kansas, was adopted.

Reps. George and Henry addressed a few remarks to the members of the House. Rep. Henry also introduced the following: Stephen Minnis, President; Fr. James Alkers, Prior, St. Benedicts Abbey; Dr. Kimberly Shankman, Dean of the College; Linda Henry, Vice President of Student Life; Joe Wurtz, Dean of Students; Courtney Marshall, Director of Alumni Relations; Keith Jaloma, Director of Individual Giving; and Bill Thornton, Secretary of Commerce.

#### CONSENT CALENDAR

No objection was made to **HB 2414** appearing on the Consent Calendar for the second day.

#### REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2411** be amended on page 5, after line 43, by inserting:

“(35) N-benzylpiperazine ..... 7493

Some trade or other names: BZP.

(36) 1-(3-[trifluoromethylphenyl]) piperazine

Some trade or other names: TFMPP.”;

On page 6, in line 40, by striking “statute book” and inserting “Kansas register”;

In the title, in line 9, by striking “synthetic”; in line 10, by striking “cannabinoids” and inserting “schedule I drugs”; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **Substitute for SB 48** be amended by substituting a new bill to be designated as “HOUSE Substitute for Substitute for SENATE BILL No. 48,” as follows:

“HOUSE Substitute for Substitute for SENATE BILL No. 48

By Committee on Energy and Utilities

“AN ACT concerning emergency telephone service; relating to fees, charges, collection and distribution; amending K.S.A. 2009 Supp. 12-5338, 12-5361 and 75-5133 and repealing the existing sections; also repealing K.S.A. 12-5301, 12-5303, 12-5304, 12-5305, 12-5306, 12-5307, 12-5308, 12-5309 and K.S.A. 2009 Supp. 12-5302, 12-5310, 12-5321, 12-5322, 12-5323, 12-5324, 12-5325, 12-5326, 12-5327, 12-5328, 12-5329, 12-5330, 12-5331, 12-5332, 12-5333, 12-5334, 12-5335, 12-5336, 12-5337, 12-5351, 12-5352, 12-5353, 12-5354, 12-5355, 12-5356, 12-5357, 12-5358, 12-5359 and 12-5360.”; and the substitute bill be passed.

(**H. Sub. for Sub. SB 48** was thereupon introduced and read by title.)

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 2543**, An act concerning school districts; relating to state aid for capital outlay and capital improvements; amending K.S.A. 2009 Supp. 72-8814 and 75-2319 and repealing the existing sections, by Education Budget Committee.

**HB 2544**, An act concerning the state public trust established for certain communities within superfund sites; attendance at meetings; amending K.S.A. 2009 Supp. 49-512 and repealing the existing section, by Committee on Appropriations.

**HB 2545**, An act concerning crimes, criminal procedure and punishment; relating to appearance bonds; amending K.S.A. 2009 Supp. 22-2802 and repealing the existing section, by Committee on Judiciary.

**HB 2546**, An act concerning insurance; providing reimbursement for certain services; amending K.S.A. 2009 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representatives Moxley, Brunk, Williams, Brookens, Burroughs, Carlin, DeGraaf, George, Goico, Gordon, Grange, Hermanson, Hill, Huebert, Landwehr, Morrison, Neighbor, Proehl, Slattery, Spalding, Swanson, Swenson, Wetta, K. Wolf and Worley.

#### REPORT ON ENROLLED RESOLUTIONS

**HR 6006** reported correctly enrolled and properly signed on January 26, 2010.

On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Wednesday, January 27, 2010.

SUSAN W. KANNARR, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

