

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 24, 2010, 11:00 a.m.

The House met pursuant to recess with Speaker pro tem Siegfried in the chair.
The roll was called with 120 members present.
Rep. Johnson was excused on verified illness.
Rep. O'Neal was excused on legislative business.
Reps. Benlon, Colloton and Peterson were excused on excused absence by the Speaker.
Prayer by guest chaplain, the Rev. Dr. Max Clayton, pastor, First United Methodist Church, Topeka, and guest of Rep. Tietze:

Almighty God, we bless and praise you that we have wakened to the light of another earthly day; and now we will think of what a day should be.

You create our days therefore; let them be spent for you. Our days are few; let them be spent with care. We pray God to shine on this day — the day, which we may call our own.

Lord, we continue to try to complete our daily work; help us to see that our work is important to the state of Kansas. Show us clearly what our responsibilities are to its citizens; help us to be faithful in doing it. Let all we do be well done, fit for your eye to see. Give us strength to do, patience to bear; let our courage never fail.

When our work becomes hard and the joy of our work is difficult to experience, let us think of this important work as your task; and by our love and commitment to you, make unlovely things shine in the light of your great love. Amen.

The Pledge of Allegiance was led by Rep. Seiwert.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2709, An act concerning income taxation; relating to determination of Kansas adjusted gross income; certain excess employer social security taxes paid; amending K.S.A. 2009 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills appearing in the calendar as "To be referred," were referred to committees as indicated:

Appropriations: **SB 414**.

Commerce and Labor: **SB 425, SB 531**.

Health and Human Services: **SB 508**.

Judiciary: **SB 455, SB 533**.

Taxation: **HB 2708**.

Transportation: **SB 351**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6018—

By Committee on Agriculture and Natural Resources

A RESOLUTION supporting a review, investigation and enforcement of the antitrust laws in relation to the marketing opportunities available to independent livestock producers.

WHEREAS, United States beef directly competes with pork and poultry; and

WHEREAS, Beef prices are influenced by pork and poultry; and

WHEREAS, Demand for beef is influenced by supply and price of pork and poultry; and

WHEREAS, Cattle prices continually decrease while retail prices remain the highest ever; and

WHEREAS, 88% of beef is controlled by four major companies, Tyson Foods, Cargill, JBS and National Beef Packing Company; and

WHEREAS, 66% of pork is controlled by four major packers, Tyson Foods, Cargill, JBS and Smithfield Foods; and

WHEREAS, 52% of poultry broilers are controlled by two companies, Tyson Foods and JBS; and

WHEREAS, 55% of the turkey industry is controlled by four companies, Butterball LLC, Hormel Foods, Cargill and Sara Lee; and

WHEREAS, Companies controlling beef, poultry and pork have a protein monopsony: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Legislature of the State of Kansas appeals to the Kansas Congressional Delegation, Department of Justice, the Congress of the United States of America and the President of the United States of America, to review, investigate and enforce the antitrust laws and Packers and Stockyards Act in relation to the inhibited marketing opportunities available to independent livestock producers as it relates to the monopsony of the protein industry; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to send enrolled copies of this resolution to the Department of Justice and the Kansas Congressional Delegation.

CONSENT CALENDAR

No objection was made to **HB 2657** 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

Speaker pro tem Siegfried announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

On motion of Rep. Merrick, the House resolved into Committee of the Whole, with Rep. Fund in the chair.

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **SB 62** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H. Sub. for SB 316** be adopted; and the substitute bill be passed.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Siegfried announced the reappointment of Rep. Donohoe to Committee on Appropriations to replace Rep. Shultz, and reappointment as Vice-Chair of the Committee on Economic Development and Tourism.

REPORT ON ENGROSSED BILLS

S. Sub. for HB 2222 reported correctly re-engrossed February 19, 2010.

Also, **HB 2472**, **HB 2540**, **HB 2557**, **HB 2561**, **HB 2581**, **HB 2595** reported correctly engrossed February 23, 2010.

Also, **HB 2656**, **HB 2668** reported correctly engrossed February 24, 2010.

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On motion of Rep. Merrick, the House adjourned until 11:00 a.m., Thursday, February 25, 2010.

SUSAN W. KANNARR, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

