

# Journal of the House

THIRTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 5, 2010, 8:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.  
The roll was called with 97 members present.  
Reps. Goico, Gordon, Johnson, Lane and Rhoades were excused on verified illness.  
Reps. C. Holmes, Kleeb, Merrick and Powell were excused on legislative business.  
Reps. Bollier, Brunk, Donohoe, S. Gatewood, George, M. Holmes, Jack, Kelley, Kiegerl, McLeland, Peterson, Roth, Ruiz, Schwab, Schwartz, Seiwert, Shultz, Sloan and Yoder were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,  
I am just going to be honest  
and lay it out here.  
I cannot figure out how anyone  
can make wise and intelligent decisions  
at this early hour.  
But, here we are . . . early on our way . . .  
of tackling the hard  
choices and decisions of the day.  
We are, however,  
encouraged by Your Words,  
“. . . this *we* call to mind,  
and therefore *we* have hope:  
because of the Lord's great love  
*we* are not consumed.  
For his compassions never fail,  
they are new every morning;  
Great is your faithfulness."  
(*Lamentations 3:21-23*)  
In Christ's Name I claim  
these new mercies and  
Your faithfulness today.  
Amen.

The Pledge of Allegiance was led by Rep. Ward.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Energy and Utilities: **HB 2729**.  
Health and Human Services: **Sub. SB 501**.  
Judiciary: **SB 494**.  
Transportation: **SB 544**.  
General Government Budget: **SB 541**.  
Select Committee on KPERS: **HB 2730**.

**CHANGE OF REFERENCE**

Speaker O'Neal announced the withdrawal of **SB 200** from Committee on Health and Human Services and referral to Committee on Social Services Budget.

**CONSENT CALENDAR**

No objection was made to **SB 489** appearing on the Consent Calendar for the first day.

**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **HB 2704** be amended on page 1, in line 15, by striking all after "(a)"; in line 16, by striking all before "shall" and inserting "Except as provided in subsection (b), the low enrollment weighting of districts"; in line 37, by striking "The" and inserting "From and after July 1, 2012, the"; in line 42, by striking "400" and inserting "200";

On page 2, in line 1, by striking "400" and inserting "200"; in line 3, by striking "399" and inserting "199"; in line 24, by striking "July"; in line 25, by striking all before the period and inserting "its publication in the Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 438** be passed.

Committee on **Taxation** recommends **HB 2689** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL No. 2689," as follows:

"Substitute for HOUSE BILL No. 2689

By Committee on Taxation

"AN ACT concerning sales taxation; relating to countywide retailers' sales tax; Pottawatomie and Kingman counties; amending K.S.A. 12-197 and K.S.A. 2009 Supp. 12-187, as amended by section 1 of 2010 Senate Substitute for House Bill No. 2353, 12-189, as amended by section 2 of 2010 Senate Substitute for House Bill No. 2353, and 12-192, as amended by section 3 of 2010 Senate Substitute for House Bill No. 2353 and repealing the existing sections."; and the substitute bill be passed.

(Sub. **HB 2689** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2678**; **SB 409** be passed.

**REPORT OF STANDING COMMITTEE**

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

**Request No. 58**, by Representative Bowers, congratulating Donnie Thrun for receiving the 2010 Emergency Volunteer of the Year in Lincoln County;

**Request No. 59**, by Representative Bethel, congratulating Alma Lois Fair for a lifetime of community service;

**Request No. 60**, by Representative T. Brown, congratulating Dr. Wendi Born for earning tenure at Baker University and being promoted to Associate Professor of Psychology;

**Request No. 61**, by Representative T. Brown, congratulating Dr. Erin Joyce for being promoted to Professor of French and Assistant Dean of Liberal Studies at Baker University;

**Request No. 62**, by Representative T. Brown, congratulating Rick Weaver for 25 years of outstanding coaching at Baker University;

**Request No. 63**, by Representative Palmer, congratulating Scott Nuzum on receiving the 2010 Oscar Stauffer Sportswriter of the Year Award;

**Request No. 64**, by Representative Trimmer, congratulating George Gabler for his service as an Atomic Veteran, Special Weapons Project, Sandia Base, New Mexico;

**Request No. 65**, by Representative Richard Carlson, congratulating Carley Hewitt for being named Queen of Courts, St. Marys High School Winter Royalty for 2010;

**Request No. 66**, by Representative Crum, commending Garrett Bythe for his service as State Ambassador for the Muscular Dystrophy Association;

**Request No. 67**, by Representative Finney, in memory of Ruby Gilbert for her service as a State Representative from the 89th District from 1992-2004;

**Request No. 68**, by Representative Mallory, congratulating Cannonball, LLC and owners Terry and Debbie Schrag for receiving the KSBCD's 2009 Existing Business of the Year Award;

**Request No. 69**, by Representative Carlson, congratulating Laurina Hannan for receiving the Girl Scout Gold Award;

**Request No. 70**, by Representative Swanson, congratulating Clay Center Community High School for winning the 4-A State Championship;

**Request No. 71**, by Representative Craft, congratulating Florence Gilchrist on her 100th birthday;

**Request No. 72**, by Representative Bowers, congratulating Samantha Ritchie on winning the 2010 Ottawa County Spelling Bee;

**Request No. 73**, by Representative Bowers, congratulating Breanna Meier on winning the 2010 Lincoln County Spelling Bee;

**Request No. 74**, by Representative Bowers, congratulating Fred Prindavill, PhD for receiving the 2010 Kansas Health Solutions Outstanding Customer Service Award;

**Request No. 75**, by Representative O'Neal, Speaker of the House, congratulating Dylan Fehl of Buhler High School for being a part of the 4A State Champion Debate Team, January 2010;

**Request No. 76**, by Representative O'Neal, Speaker of the House, congratulating Evan Habluetzel of Buhler High School for being a part of the 4A State Champion Debate Team, January 2010;

**Request No. 77**, by Representative Jack, commending Vicky Roper in recognition of her service for protecting Kansas Children from child abuse;

**Request No. 78**, by Representative Olson, congratulating Andrew L. Warner on achieving the rank of Eagle Scout;

**Request No. 79**, by Representative O'Neal, congratulating Jeriah Forbes, Buhler High School Debate and Forensics Team, for coaching Dylan Fehl and Evan Habluetzel to the 2010 4A State Debate Championship;

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. Mast, the committee report was adopted.

On motion of Rep. Mast, the House adjourned until 11:00 a.m., Monday, March 8, 2010.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

