

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 4, 2013, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Mast in the chair.

The roll was called with 120 members present.

Rep. Campbell was excused on verified illness.

Reps. Christmann, Kelley, Kinzer and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today is the first day of a new week.
Help us to look forward and not backward
Help us to not dwell on last week, because it is history –
but to look forward to the new opportunities of this week.
Help us to focus on being and doing our best
in the work You have called us to do.
We ask that You not only give us wisdom today,
but grant us common sense.
We ask that You not only give us understanding and grace,
but grant us patience and endurance with one another.
We ask that You not only direct us in our decisions,
but also guard our mouths and our attitudes.
And as our founding president, George Washington, once prayed,
“direct *our* thoughts, words and work:
and frame us more and more into the likeness of
Thy son Jesus Christ.”
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. McPherson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2205, AN ACT concerning adoption; relating to hearings; time and waiver of notice; amending K.S.A. 59-2133 and repealing the existing section, by Representatives Finch, Barker, Bradford, Christmann, Claeys, Clayton, Concannon, Dierks, Doll, Esau,

Garber, Hawkins, Hill, Howell, Jennings, Jones, Moxley, Perry, Phillips, Rooker, Waymaster, Weber and Wilson.

HB 2206, AN ACT concerning alcoholic beverages; relating to retailer's licenses; amending K.S.A. 41-713 and K.S.A. 2012 Supp. 41-102, 41-301, 41-303, 41-308, 41-311, 41-313, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103 and 41-711, by Committee on Taxation.

HB 2207, AN ACT concerning public health; relating to confined feeding facilities; permits; notice of intent to construct; separation distances; amending K.S.A. 65-1,179, 65-1,180, 65-1,188 and 65-1,194 and K.S.A. 2012 Supp. 65-171d and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2208, AN ACT concerning the commissioner of juvenile justice; powers to establish new community based service alternatives to residential care; new residential services levels; establishment of performance measures; and establishment of payment methodologies, by Committee on Corrections and Juvenile Justice.

HB 2209, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2012 Supp. 22-4902, 22-4904, 22-4905, 22-4906 and 22-4907 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2210, AN ACT concerning elections; relating to change of party affiliation; when not permissible; amending K.S.A. 25-3304 and repealing the existing section, by Committee on Elections.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2195**.

Education: **HB 2197**.

Federal and State Affairs: **HB 2196, HB 2198, HB 2199**.

General Government Budget: **HB 2200**.

Judiciary: **HB 2203, HB 2204**.

Transportation: **HB 2202**.

Utilities and Telecommunications: **HB 2201**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6009**—

By Representative Swanson

A RESOLUTION commemorating Emporia State University's Sesquicentennial.

WHEREAS, Kansas State Normal School was founded by the Kansas Legislature in 1863 for "the instruction of persons, both male and female, in the art of teaching, and in all the various branches that pertain to good common school education, and in the mechanic arts, and in the arts of husbandry and agricultural chemistry, and in the fundamental laws of the United States of America, and in what regards the rights and duties of citizens"; and

WHEREAS, Emporia State University has been a significant part of the State of Kansas and our system of higher education since its founding and throughout its history; and

WHEREAS, Kansas State Normal School became Kansas State Teachers College in 1923, Emporia Kansas State College in 1974, and Emporia State University in 1977; and

WHEREAS, Over 75,000 alumni have served as accountants, artists, bankers, business people, educators, engineers, financial planners, government officials, health care providers, information managers, library scientists, military personnel, musicians, and scientists in addition to other occupations; and

WHEREAS, Emporia State University empowers and engages excellent intellectual opportunities for the people of our state, our nation, and our world through its nationally recognized programs; and

WHEREAS, Emporia State University brings state, regional, national, and international prominence to the Great State of Kansas through its outstanding academic, cultural, and athletic events; and

WHEREAS, Emporia State University will celebrate its sesquicentennial throughout 2013 under the theme: "Changing Lives Since 1863"; and

WHEREAS, Emporia State University will commence to celebrate its 150th anniversary on Founders Day, February 15, 2013: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we celebrate and commemorate the 150th anniversary of Emporia State University; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to provide five enrolled copies of this resolution to Emporia State University at 1200 Commercial Street, Emporia, KS 66801.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2006, AN ACT concerning the Kansas rules and regulations filing act; amending K.S.A. 2012 Supp. 77-415 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Ballard, Barker, Becker, Bideau, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Couture-Lovelady, Carlin, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, Davis, DeGraaf, Dierks, Dillmore, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Finney, Frownfelter, Gandhi, Garber, Goico, Gonzalez, Grant, Grosserode, Hawkins, Hedke, Henderson, Henry, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Kuehner, Lane, Lunn, Lusk, Macheers, Mast, McPherson, Meier, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Pauls, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ruiz, Ryckman Jr., Ryckman Sr., Sawyer, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Sloop, Suellentrop, Sutton, Swanson, Thimesch, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Campbell, Christmann, Kelley, Kinzer, Peterson, Seiwert.

The bill passed.

HB 2022, AN ACT concerning certain deductions from wages; amending K.S.A. 2012 Supp. 44-319 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 29; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Barker, Becker, Bideau, Boldra, Bradford, Bruchman, Brunk, Couture-Lovelady, Carlson, Carpenter, Cassidy, Claeys, Clayton, Concannon, Corbet, Crum, DeGraaf, Dierks, Doll, Dove, Edmonds, Edwards, Esau, Ewy, Finch, Gandhi, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hermanson, Hibbard, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Howell, Huebert, Hutton, Jennings, Johnson, Jones, Kahrs, Kelly, Kleeb, Lunn, Macheers, Mast, McPherson, Meigs, Menghini, Merrick, Montgomery, Moxley, O'Brien, Osterman, Peck, Perry, Petty, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rothlisberg, Rubin, Ryckman Jr., Ryckman Sr., Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Suellentrop, Sutton, Swanson, Thimesch, Todd, Vickrey, Waymaster, Weber, Whipple, Wolfe Moore.

Nays: Alcala, Ballard, Bollier, Bridges, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, Grant, Henderson, Henry, Houston, Kuether, Lane, Lusk, Meier, Pauls, Ruiz, Sawyer, Sloop, Tietze, Trimmer, Victors, Ward, Weigel, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Campbell, Christmann, Kelley, Kinzer, Peterson.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2060** be amended on page 1, in line 9, after "in" by inserting "and claiming as a household";

On page 2, by striking all in lines 41 through 43;

On page 3, by striking all in lines 1 through 4;

On page 4, in line 31, after "in" by inserting "and claiming as a homestead"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2009** be amended on page 3, in line 7, by striking "schooling" and inserting "seeking new employment"; in line 8, after "(iii)" by inserting "in going to or returning from an appointment with a health care provider or"; also in line 8, by striking "and"; in line 10, after "court" by inserting "; and (v) in going to or returning from schooling"; also in line 10, by striking the second "The"; by striking all in line 11; in line 15, by striking "for each charge on which the person failed to"; by striking all in lines 16 and 17; in line 18, by striking "restricted driving privileges" and inserting ". The court shall not assess such reinstatement fee more than one time in a 365-day period"; and the bill be passed as amended.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, February 5, 2013.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

