

# Journal of the House

## ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 28, 2014, 11:00 a.m.

The House met pursuant to adjournment with Speaker Merrick in the chair.

The roll was called with 122 members present.

Reps. Jennings and Peterson were excused on verified illness.

Rep. Christmann was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear God,  
Thank You for this, another day that You have given us.  
Help us all to not take it for granted,  
but to embrace it with a sense of privilege and awe,  
and to consciously seek to make the most of it.  
May Your mercy encourage goodwill  
in all we do and accomplish this day.  
Bless these leaders with the wisdom, prudence and understanding  
as they generate ideas, discussion and laws  
that will enable all of us to fulfill Your desire and purpose for our lives.  
May Your strength and peace enable all of us to  
act justly, love tenderly and walk humbly with You.  
In a spirit of gratitude I pray this in Your Name,  
Amen.

The Pledge of Allegiance was led by Rep. Becker.

### PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Edwards are spread upon the Journal:

We make this Certificate of Award for Sedgwick County Deputy Lucas Powell, 33, five year veteran of the Sedgwick County Sheriff's Office, because he stood tall in the very time of danger and performed truly as an "Officer of Valor during Extreme Danger." Deputy Powell was shot in the line of duty.

On March 11, 2013, Sedgwick County Deputy Lucas Powell was on patrol in northern Sedgwick County. A report was put out on the radio about a person driving in a very erratic method. Deputy Powell saw the vehicle and when he tried to stop the

vehicle, it began to elude the attempts to stop. The driver driving north on I-135 approaching the North County line, he passed many people on the right. Deputy Powell followed this person in an old Cadillac at a high rate of speed into Harvey County then east on K196 into Butler County. It was in Butler County that the Deputy saw that the vehicle was smoking and then stopped on a rural road just South of Potwin, Kansas near a farmhouse. The deputy was trying to send his K-9 dog, Riggs, when the people who had tried to elude was running away, the lady turned and shot a shotgun blast at the deputy hitting Deputy Powell in the right face and eye and side. Deputy Powell, though wounded in the right face and eye, stayed calm and collected and relayed that he had been shot and that the people who had done so were running to the east away from him. He was calm during all the radio traffic while officers from over a dozen agencies were responding to his location to help him and also help apprehend the people who had shot him. Deputy Powell gave out information that the one who shot him was a female with a shotgun and that there was a man that had a rifle running with this person. The time frame for this incident went on for over 12 minutes. Each time Deputy Powell was on the radio as he was requested to keep talking by the Sheriff of his county, he was under control and poised. Deputy Powell assisted in the incident by giving pertinent information to those that were responding.

The driver was apprehended after he was shot by a State Trooper in the chest when he refused to drop his weapon. The woman was taken into custody just after her male driver had been shot.

I personally have known the Powell family and Deputy Lucas Powell since he was born. This family is from the Mulvane area and this Deputy and his family lives in Mulvane, Kansas. I held this young man just days after he was born and even fed him at that time. These are good people and it is my distinct pleasure and privilege to bring this family and especially this fine Deputy before this august body of the Kansas House of Representatives honoring him for gallantry in the face of danger!

Rep. Edwards presented a framed House certificate to Deputy Powell.

### **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Hutton are spread upon the Journal:

Ladies and Gentlemen, I come before this body today to recognize one of our past members for his service and commitment to our great State of Kansas. Robert Coldsnow served three terms in the Kansas House of Representatives from 1965 thru 1971. Later, in 1974, he accepted the position of Legislative Council to this body, a position he held for 16 years until his retirement in 1990. However, less than a year later in a testament to his knowledge and legislative skills he was asked by the Legislative Coordinating Council to come out of retirement to assist lawmakers on a reapportionment matter for two years until that was resolved in 1992 when he retired for the last time.

This last Thursday, January 23<sup>rd</sup> Representative Coldsnow passed away at the age of 89.

Although Robert Coldsnow was known by many as Bob, I knew him as my Uncle Bob and a man that had a profound effect on my life. It was his example of

commitment and service to our State that I strive to model to this day. At the age of 12 he arranged for me to serve as a page in this chamber and it was that small taste of public service that ignited the spark that eventually led to my standing before you today. I was especially pleased and proud that he was able to join me on the House floor last year when I was sworn in for my first term.

As a Representative and Legislative Council, Bob Coldsnow was also known for his steadfast commitment to this state's constitution. In a 2005 article in the Topeka Capital Journal he was quoted as saying that some legislators "got tired of hearing me telling them that certain things weren't constitutional".

As my Uncle Bob I knew him as a compassionate man that began every relationship with respect and trust. His reputation for always telling the unvarnished truth along with his impeccable ethical standards provided legislators a trusted benchmark from which to work.

I'm really going to miss our visits where he helped me navigate my first term as a Representative and while we didn't always agree on our positions I always appreciated his sage advice, historical knowledge, and perspective.

And so today Mr. Speaker I would ask that this body join me in acknowledging the life, distinguished service, and legacy of Representative Robert Coldsnow by spreading my remarks upon today's journal and rising with me to applaud his job well done.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2519**, AN ACT concerning retirement and pensions; enacting the Kansas public employees retirement system defined contribution act; providing terms, conditions and requirements related thereto; relating to plan document, membership, benefits, contributions and investment alternatives; death and disability benefits; eliminating the Kansas public employees retirement system act of 2015; repealing K.S.A. 2013 Supp. 74-49,301, 74-49,302, 74-49,303, 74-49,304, 74-49,305, 74-49,306, 74-49,307, 74-49,308, 74-49,309, 74-49,310, 74-49,311, 74-49,312, 74-49,313, 74-49,314, 74-49,315, 74-49,316, 74-49,317 and 74-49,318, by Committee on Pensions and Benefits.

**HB 2520**, AN ACT concerning public health; relating to the podiatry act; amending K.S.A. 65-2001, 65-2002 and 65-2004 and K.S.A. 2013 Supp. 65-2005 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2521**, AN ACT concerning school districts; relating to reporting of students who are not lawfully present in the United States, by Committee on Federal and State Affairs.

**HB 2522**, AN ACT concerning fire districts; amending K.S.A. 19-3631 and repealing the existing section, by Representative Sloan.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2512**.

Education: **HB 2505**.

Education Budget: **HB 2506**.

Elections: **HB 2518**.

Federal and State Affairs: **HB 2503, HB 2508**.

General Government Budget: **HB 2504, HB 2507.**  
Health and Human Services: **HB 2509.**  
Insurance: **HB 2513, HB 2514, HB 2515, HB 2516.**  
Judiciary: **HB 2517.**  
Taxation: **HB 2511.**  
Vision 2020: **HB 2510.**

**COMMUNICATIONS FROM STATE OFFICERS**

From Larry Biles, Kansas State Forester, Kansas Forest Service, 2013 Annual Report.

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

**REPORT ON ENROLLED BILLS**

**HB 2303** reported correctly enrolled, properly signed and presented to the Governor on January 28, 2014.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6041** reported correctly enrolled and properly signed on January 28, 2014.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Wednesday, January 29, 2014.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

