

# Journal of the House

FOURTEENTH DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 28, 2011, 10:30 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 112 members present.

Rep. Suellentrop was excused on legislative business.

Reps. Bollier, Brookens, Donohoe, D. Gatewood, Henderson, Hill, M. Holmes, Kiegerl, Peterson, Ruiz, Slattery and B. Wolf were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,  
This week we celebrate our sesquicentennial.  
Thank You for Your faithfulness  
and multiple blessings upon this state.  
Thank you that Kansas was a place in the late 1800's  
where people of all faiths and cultures  
felt comfortable enough to come and call it home.  
In the harsh days of the 1930's  
when the dust storms swept over our land,  
thank You for protecting our people  
and instilling a spirit of determination,  
strength and stamina to endure hardships.  
Thank You for blessing our land with golden wheat  
to allow us to feed millions around the world.  
Help us to celebrate the past, but not live in it.  
Helps us to learn from the past, but not repeat it.  
Help us to build upon the rich foundation of the past  
to prepare for a stronger and brighter future.  
And as for the Kansas Sunflower State showdown,  
I pray that one of the teams will be able to  
change the patterns of past history  
and begin a new trend for the future.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Lane.

Kansas Trivia Question – Washburn University in Topeka honored a Massachusetts philanthropist when it changed its name from what? How did Washburn make his money?

Answer: Lincoln College. Washburn made his living manufacturing barbed wire.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2120**, AN ACT establishing the Kansas streamlining government commission; providing for an independent review of state agencies of the executive branch of state government; prescribing powers, duties and functions for the commission and certain other agencies; amending K.S.A. 2010 Supp. 75-2973 and 75-4319 and repealing the existing sections, by Committee on Government Efficiency.

**HB 2121**, AN ACT concerning cremation; relating to the authority of coroners to issue permits; amending K.S.A. 65-2426a and repealing the existing section, by Committee on Appropriations.

**HB 2122**, AN ACT concerning the agricultural ethyl alcohol producer incentive fund; relating to extension; amending K.S.A. 2010 Supp. 79-34,161 and 79-34,164 and repealing the existing sections, by Committee on Energy and Utilities.

**HB 2123**, AN ACT enacting the Kansas adverse medical outcome transparency act; concerning evidence in civil actions; expression of sympathy, compassion or benevolent acts by health care providers not admissible as evidence of an admission of liability or as evidence of an admission against interest, by Representative Sloan.

**HB 2124**, AN ACT concerning certified public accountants; relating to corporations practicing in partnership; amending K.S.A. 2010 Supp. 1-308 and repealing the existing section, by Representative Cassidy.

**HB 2125**, AN ACT concerning the Kansas professional regulated sports act; pertaining to violations; pertaining to civil penalties; pertaining to fees; pertaining to rules and regulations; amending K.S.A. 2010 Supp. 74-50,181, 74-50,182, 74-50,185, 74-50,186, 74-50,187, 74-50,189, 74-50,193 and 74-50,194 and repealing the existing sections, by Committee on Commerce and Economic Development.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and ERO were referred to committees as indicated:

Aging and Long Term Care: **HB 2110**.

Agriculture and Natural Resources: **ERO 36**.

Corrections and Juvenile Justice: **HB 2118**.

Health and Human Services: **HB 2111**.

Judiciary: **HB 2115**.

Local Government: **HB 2119**.

Pension and Benefits: **HB 2114**

Taxation: **HB 2112, HB 2113, HB 2116, HB 2117**.

## MESSAGE FROM THE SENATE

Announcing adoption of **SCR 1602**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

On motion of Rep. Siegfried, **SCR 1602**, congratulating the State of Kansas on the Sesquicentennial of its Admission to the Union of the United States of America, was thereupon introduced and adopted.

**REPORTS OF STANDING COMMITTEES**

Committee on **Commerce and Economic Development** recommends **HB 2054** be amended on page 3, in line 19, by striking all after "All"; by striking all in line 20; in line 21 by striking all before "powers"; in line 25 by striking "(3) and inserting "(2);

On page 20, in line 13 by striking "deparment" and inserting "department";

On page 24, by striking all in lines 36 and 37;

On page 25, in line 11 by striking "board of regents" and inserting "department of commerce"; in line 35, by striking "board of regents" and inserting "department of commerce";

On page 26, in line 11 by striking "board of regents" and inserting "department of commerce"; in line 21 by striking "board of regents" and inserting "department of commerce"; in line 29 by striking "board of regents" and inserting "department of commerce"; in line 31 by striking "board of regents" and inserting "department of commerce"; in line 33 by striking "board of regents" and inserting "department of commerce";

On page 27, in line 1 by striking "board of regents" and inserting "department of commerce"; in line 12 by striking "board of regents" and inserting "department of commerce"; in line 13 by striking "board of regents" and inserting "department of commerce"; in line 14 by striking "board of regents" and inserting "department of commerce"; in line 17 by striking "board of regents" and inserting "department of commerce"; in line 28 by striking "board of regents" and inserting "department of commerce"; in line 35 by striking "board of regents" and inserting "department of commerce"; in line 41 by striking "board of regents" and inserting "department of commerce";

On page 32, in line 5 by striking "of the secretary";

On page 59, in line 29 by striking "11" and inserting "10"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2088** be amended on page 1, in line 21, after "protection" by inserting "sprinkler"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2056** be passed and because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on consent calendar.

**REPORT OF STANDING COMMITTEE**

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

**Request No. 4**, by Representative Carlson, congratulating Agnes (Carlson) Lacock

on her 100<sup>th</sup> birthday;

**Request No. 5**, by Representative Carlin, congratulating Manhattan High School 2010 Volleyball Team on winning the 6A Kansas State Volleyball Championship;

**Request No. 6**, by Representative Johnson, congratulating Ethan Moravek on achieving the rank of Eagle Scout;

**Request No. 7**, by Representative Johnson, congratulating Valentine and Frank Fabricius on their 90<sup>th</sup> birthdays;

**Request No. 8**, by Representative Cassidy, commending Bonnie Cram for outstanding service to the Republican Party in both the State of Kansas and Cheyenne County;

**Request No. 9**, by Representative Hermanson, congratulating Matt Lashley on outstanding public service;

**Request No. 10**, by Representative Hermanson, recognizing Lisa Wisdom as an outstanding campaign manager;

**Request No. 11**, by Representative Hermanson, recognizing Dan Kerschen and family for friendship above and beyond the call of duty;

**Request No. 12**, by Representative Bowers, congratulating Dr. Monte Wentz for receiving the 2010 Concordia Area Chamber of Commerce Business Person of the Year award;

**Request No. 13**, by Representative Bowers, congratulating Lorene Frasser on her 100<sup>th</sup> birthday;

**Request No. 14**, by Representative Goodman, congratulating Nicolas and Evelyn Aguilar on celebrating their 50<sup>th</sup> wedding anniversary January 21, 2011;

**Request No. 15**, by Representative Bowers, commending Judie Deal for receiving the 2010 Leon Gennette Lifetime Achievement Community Service Award;

**Request No. 16**, by Representative Bowers, commending the Nels Ferguson family in recognition of the preservation of four stone masonry tools used in construction of the State Capitol Building in the mid 1800's;

**Request No. 17**, by Representative Hayzlett, congratulating Mabel Grusing on her 90<sup>th</sup> birthday;

**Request No. 18**, by Representatives Finney and Brunk, congratulating Donovan Duggins for winning the 2010 Red Robin Kids' Cook-off Championship with his "Mt. Vesuvius" burger;

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. Siegfried, the committee report was adopted.

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 2126**, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 2-624, 19-3505, 19-3507, 24-412, 25-1115, 25-2006, 25-2007, 25-2010,

25-2018, 25-2023, 25-2102, 25-2109, 25-2118, 25-2120, 25-2311, 25-2502, 25-3503, 71-1413 and 71-1414 and K.S.A. 2010 Supp. 24-459, 24-506, 25-1122, 25-2108a and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038 and 25-2107 and K.S.A. 2010 Supp. 14-201, by Representatives Huebert, Arpke, Billinger, Boman, Brown, Brunk, Crum, DeGraaf, Donohoe, Fund, Garber, Goico, Gonzalez, Gregory, Hedke, Hermanson, Hildabrand, M. Holmes, Howell, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McLeland, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Prescott, Rhoades, Rubin, Scapa, Seiwert, Siegfried, Swanson, Vickrey and Ryckman.

**HB 2127**, AN ACT concerning municipalities; authorization to demand coordination of federal and state governments with local laws and regulations, by Committee on Federal and State Affairs.

In celebration of the 150<sup>th</sup> birthday of the State of Kansas on January 29, 2011, Rep. Ballard led the members of the House in singing "Home on the Range."

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, January 31, 2011.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

