

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 7, 2011, 11:00 a.m.

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

The roll was called with 115 members present.

Reps. Fund, Kiegerl and Winn were excused on verified illness.

Rep. Fawcett was excused on legislative business.

Reps. Calloway, Kelley, Landwehr, McLeland, Mesa and Roth were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
We begin a new week, but the issues are the same.
Our leaders are here to make tough decisions.
Help them to remember the words of Martin Luther King,
*“The ultimate measure of a man
is not where he stands in moments of comfort,
but where he stands at times of challenge and controversy.”*
As our leaders work through the discussion and details
of all the decisions to be made,
may faith replace fear, truth overcome falsehood,
justice triumph over greed, and love prevail over hate.
In Christ’s Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

Kansas Trivia Question – What two lawyers argued before the Kansas Supreme Court in the *Brown v. Topeka Board of Education* school desegregation case?

Answer: Paul Wilson argued for the state of Kansas and Charles Sheldon Scott represented the Brown family.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Peck and Kelly are spread upon the journal:

Remarks by Rep. Peck:

There are four public schools in Montgomery County. In January, three of those schools won state championships in debate.

In alphabetical order they are: Caney Valley – Class 3A-1A State Champions – Two Speaker, Coffeyville Field Kindley Memorial – Class 4A State Champions – Four Speaker, and Independence – Class 4A State Champions – Two Speaker

The Resolution for the State Tournament was, “Resolve that the United States Government substantially reduce its military or police presence in: South Korea, Japan, Iraq, Kuwait, Afghanistan and Turkey.”

For those of you who participated in debate, or know much about debate, you understand the benefit it provides to students in developing their communication skills and in preparing them for the many circumstances each of us face during our lifetime.

Caney had two, two speaker teams participate in the state tournament. Both were undefeated in the tournament until the semi-final round. One team finished as State Champions, by defeating Silver Lake, and the other team finished in third place. The State Champion Team consists of senior, Kurt Lockwood and junior, Jessica Wells. The third place team was Caleb McIntosh and Bruce Williams, both seniors. Caney is coached by Amber Toth and assistant coach is Tina McCammon.

The last time Caney Valley earned a state trophy was in 1996 when they placed third. This year is the first time in school history that Caney Valley walked away with two state trophies.

The other state championship school in my Legislative District is Field Kindley Memorial High School in Coffeyville. Coffeyville earned a trip to the state tournament by finishing in the top two at the Regionals held in Ft. Scott. During the round-robin state tournament, Coffeyville finished in first place, ahead of Buhler, with a 12-2 record in the class 4A, four speaker category.

The Field Kindley team consists of six students: senior, Tiffany Lin, juniors, Eric Mueller and Jordan Mecom and three sophomores, Ben Wright, Grant Hendrix and Taylor Stringer. Jordan and Ben argued in the affirmative, while Tiffany and Eric took the negative position. Grant and Taylor were ready in the wings as alternates. Our debate coach is Darrel Harbaugh, who is assisted by Kris Crane and Keith Wilson.

Over the past 15 years Field Kindley has won six State Championships in debate, the last one coming 10 years ago in 2001.

Remarks by Rep. Kelly:

In January two Independence High School students, Dalton Mott, a senior and Skylar Stacy, a junior became the first debate team in school history to win a state championship title by winning the 2011 Class- 4A two-speaker state debate competition. In the competition they debated the affirmative side of the resolution “The U.S. federal government should substantially reduce its military and/or police presence in one or more of the following: South Korea, Japan, Afghanistan, Kuwait, Iraq and Turkey”.

Dalton and Slylar, who are coached by Independence High School instructor Roni Burris, competed and won against 58 other teams in the competition. The Independence team went 4-2 in the preliminaries and finished the tournament 8-2, winning the final round against Rose Hill High School.

This season Dalton had 33 wins and 7 losses and Skylar had 31 wins and 9 losses in eight invitational tournaments with four to six rounds of competition per tournament. Independence is very proud of Dalton Mott, Skylar Stacy and their coach Roni Burris for bringing the first state debate title home to Independence High School.

Reps. Peck and Kelly presented each of the schools with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2373, AN ACT concerning life insurance; providing for certain additional riders on life insurance policies; amending K.S.A. 2010 Supp. 40-401 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2374, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2011, and June 30, 2012, for the department of education; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Judiciary: **HB 2372**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6013—

By Representatives O'Neal, Billinger, Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION in memory of Dr. Jim Morrison.

WHEREAS, Jim Morrison, 68, of Colby, died November 24, 2010. A former Kansas legislator, he served in the House of Representatives from 1992 to 2010; and

WHEREAS, Dr. Morrison was born April 11, 1942, in Colby to Pete and Louise Morrison. Dr. Morrison attended Colby public schools, graduating from high school in 1960, the University of Kansas from 1960 to 1964, majoring in Comparative

Biochemistry and Physiology, and the Southern College of Optometry in Memphis, Tennessee, where he received his Doctor of Optometry degree in 1967. Dr. Morrison served as an optometrist for the community of Colby for 41 years; and

WHEREAS, Dr. Morrison is remembered for his commitment to his constituency from House District No. 121, for serving as Chairperson of the Health and Human Services Committee, the Committee on Government Efficiency and Fiscal Oversight, the Joint Committee on Information Technology, the Joint Committee on Computers and Telecommunications, the Select Committee on Information Management, and as a member of the House Education Committee and the Health Care Fund Oversight Stabilization Committee; and

WHEREAS, Dr. Morrison was also active in numerous community and civic organizations, including Educational Service Centers (formerly known as the Northwest Kansas Educational Diagnostic and Referral Center for Children, Inc.), Kansas Association for Children with Learning Disabilities, Fellow American Academy of Optometry, Kansas Optometric Association, Colby Lions Club, Colby Rotary Club and Kiwanis Club. Additionally, in 2011, the Kansas Alliance of Advanced Nurse Practitioners recognized Dr. Morrison as the NP Advocate of the year; and

WHEREAS, Dr. Morrison married his grade school friend and high school sweetheart, Karen Jean Carr, on August 25, 1963. They are the parents of three sons, Mike Morrison, Jeff Morrison, and Scott Morrison, and one daughter, Lisa Morrison, and 11 grandchildren; and

WHEREAS, The state has lost a valiant leader. During his years in the legislature, Dr. Morrison worked tirelessly for his constituents not only in representing their needs but also by communicating to them the issues covered in that day's session. Dr. Morrison was instrumental in passing SB 5 in 1997, which created oversight for all state agency information technology purchases, saving the state millions of dollars. During the legislative session, Dr. Morrison was known to send 80 daily faxes (before email became ubiquitous) to interested constituents and community leaders, provided two daily radio broadcasts on local radio stations, and wrote a bimonthly column for the Hays Daily News: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we extend our deepest sympathy to the family and friends of Jim Morrison and thank him for the years of public service he gave to his state and community; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide five enrolled copies of this resolution to Representative Billinger.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2091** be passed.

Committee on **Taxation** recommends **HB 2220** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2220," as follows:

"Substitute for HOUSE BILL NO. 2220

By Committee on Taxation

"AN ACT concerning the promoting employment across Kansas act; pertaining to qualifications for benefits under the act; income tax credits; amending K.S.A. 2010 Supp. 74-50,210, 74-50,211, 74-50,212 and 74-50,213 and repealing the existing sections."; and the substitute bill be passed.

(**Sub. HB 2220** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

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

Request No. 44, by Representative Calloway, recognizing Jack Overman, Mr. Pittsburg, for his contributions and continued support of the entire Pittsburg community;

Request No. 45, by Representative Gordon, congratulating Jerry McElroy on his induction into the Junior Achievement Business Hall of Fame;

Request No. 46, by Representative Burgess, congratulating Parker Louis Gunnell for attaining the rank of Eagle Scout;

Request No. 47, by Representative Meigs, commending David Urban for attaining the rank of Eagle Scout;

Request No. 48, by Representative Meigs, commending Garrett Ruskamp for attaining the rank of Eagle Scout;

Request No. 49, by Representative Meigs, commending Philip Loughman for attaining the rank of Eagle Scout;

Request No. 50, by Representative Meigs, commending Robert Loomis for attaining the rank of Eagle Scout;

Request No. 51, by Representative Meigs, commending Jeff Kraus for attaining the rank of Eagle Scout;

Request No. 52, by Representative Bowers, congratulating Quentin Clark for winning the Ottawa County Spelling Bee;

Request No. 53, by Representative Bowers, congratulating James McCabe for winning the 2011 Cloud County Spelling Bee;

Request No. 54, by Representative Bowers, congratulating John Augustine for winning the 2011 Lincoln County Spelling Bee;

Request No. 55, by Representative Bowers, congratulating Pam Barker and Vickie Coffman for winning the "Best Hardware Store in Town", awarded by True Value Company;

Request No. 56, by Representative Bowers, congratulating Bill Clark in recognition of being inducted into the 2011 American Gelbvieh Association Hall of Fame;

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.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, March 8, 2011.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

