

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, April 25, 2012, 10:00 a.m.

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

The roll was called with 119 members present.

Rep. LeDoux was excused on verified illness.

Reps. Boman, Grant, Johnson, Kelley and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
We come together again to finalize decisions
that need to be made.
Some of these decisions are difficult
and we don't know which path to take...
well, we each know of a path we want to take –
but we need Your help to come to consensus.
You have given us the power to choose freely
as well as the intelligence to choose wisely.
Inspire us to make the right decisions
whether we totally agree with each other or not.
The important thing is that we choose Your path.
After we have carefully weighed the reasons on all sides
from a human point of view,
help us to rely on your grace for divine help.
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF GUESTS

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

According to the General Aviation Award website, for nearly 50 years, the **General Aviation Awards Program** has recognized a small group of aviation professionals in the fields of flight instruction, aviation maintenance, avionics, and flight safety for their important contributions to the aviation community. The selection process begins with

local offices. Panels of aviation professionals select national winners from the pool of regional winners.

The awards highlight the important roles these individuals play in promoting aviation safety, education, and professionalism. National winners will be recognized during AirVenture-Oshkosh in July.

The 2012 National Aviation Maintenance Technician of the Year is Marvin Hornbostel. Marvin, of Junction City, is a recipient of the FAA's Charles Taylor Master Mechanic and has been working more than 50 years as an airframe and powerplant technician.

His passion for airplanes started early. Growing up during World War II, his dream was to fly B-17s. Of course, the war didn't wait for him but when his dad gave him his first rubber band powered balsa model airplane, his future was decided. He began his career in aviation with the United States Army at Fort Rucker, Alabama, where he received basic aviation maintenance training followed by two years of service in Germany. After discharge, he worked with a maintenance contractor at Fort Riley, Kansas, performing maintenance on Army aircraft. Thirty-two years later, he retired as the shop supervisor.

During his years at Fort Riley, Marvin spent his spare time working on general aviation aircraft while learning all he could about fabric covering. His first complete restoration in 1968 was a 1941 Taylorcraft. Two of his restored aircraft have been award winners at airshows in Oshkosh and Blakesburg, Iowa.

After retiring in 1990, he continued restoring fabric aircraft at his home in rural Junction City. Within a short time, his ability to work with fabric covering became widely known and turned into a business. Marvin now provides summer jobs for students interested in aircraft restoration from Kansas State University's Aviation School. He also works with the Junction City High School Guided Study Program to provide hands-on training to students interested in aviation maintenance. Additionally, he provides work experience and mentorship to Army aviation maintenance technicians to help them transition into civilian careers.

Marvin serves on the Junction City Airport Aviation Advisory Board and is president of EAA Chapter 1364, the "Wing Nuts." With a grant from The Greater Manhattan Community Foundation, he was instrumental in starting a Youth Aviation Education Program in the local chapter. The group participates in EAA's Young Eagles Program, has built a flight simulator, and is presently constructing a Bowers Fly-Baby. Please help me welcome the 2012 Aviation Maintenance Technician of the Year, and my uncle, Marvin Hornbostel.

Rep. Mah presented a framed House certificate to Marvin Hornbostel.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2791, AN ACT concerning elections; relating to primary elections, candidate filings and related procedures; amending K.S.A. 25-203 and 25-3205 and K.S.A. 2011 Supp. 25-205, 25-1122, 25-3203, 25-3904 and 25-3904a and repealing the existing sections, by Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

HB 2414; Sub HB 2455; Sub HB 2477; HB 2486, HB 2489, HB 2605, HB 2614, HB 2626, HB 2668, HB 2687, HB 2703, HB 2769 approved on April 4, 2012.

Also, **HB 2557, HB 2593, HB 2621, HB 2697** approved on April 6, 2012.

Also, **HB 2416, HB 2461, HB 2516, HB 2517; S Sub for HB 2526; HB 2563; Sub HB 2659; HB 2660, HB 2674, HB 2685, HB 2706, HB 2743** approved on April 12, 2012.

MESSAGE FOM THE GOVERNOR

Message to the House of Representatives of the State of Kansas:

The following message from the Governor regarding **HB 2505**, which will become law without the governor's signature, was received and read.

The passage and signing of the Dodd-Frank Act was an unprecedented expansion of federal power over the nation's economy and the states by the Obama Administration. While serving as a United States Senator, I vigorously opposed and voted against the Dodd-Frank Act. Today the consequences of this wayward legislation are being felt here in Kansas. We are being coerced by unelected federal bureaucrats to enact bills such as SB 345 and HB 2505 that set up new regulatory frameworks not desired by Kansas voters. These federal officials are threatening to do harm to our state's economy if we do not acquiesce in passing state laws dictated from Washington. Because we have little choice but to let these bills go into effect, I will allow them to become law without my signature. By not affixing my signature to these bills, however, I want to send a clear message that I have serious concerns about their constitutionality. Because of this, I have requested that Attorney General Derek Schmidt conduct an immediate review of Dodd-Frank in order to begin the process of defending Kansas from this unconstitutional incursion of federal authority over the states. Pursuant to Article 2 Sec. 14 of the Kansas Constitution and KSA 45-305 **SB 345** and **HB 2505** have been delivered to the Secretary of State without my signature.

SAM BROWNBACK
Governor

Dated: April 9, 2012

MESSAGE FROM THE SENATE

Announcing adoption of **HCR 5034**.

The Senate adopts the Conference Committee report on **H Sub for SB 315**.

The Senate nonconcurrs in House amendments to **H Sub for SB 40**, requests a conference and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 62**, requests a conference and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 142**, requests a conference and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2117** and has appointed Senators Donovan, Apple and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2649** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2689** and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate not adopts the Conference Committee report on **SB 334**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 40**.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 62**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 142**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 334**.

Speaker O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer, the House nonconcurrent in Senate amendments to **HB 2562** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2706 reported correctly re-engrossed April 2, 2012.

REPORT ON ENROLLED BILLS

HB 2416, HB 2461, HB 2505, HB 2516, HB 2517; S Sub for HB 2526; HB 2563, HB 2659, HB 2660, HB 2674, HB 2685, HB 2706, HB 2743 reported correctly enrolled, properly signed and presented to the Governor on April 6, 2012.

REPORT ON ENROLLED RESOLUTIONS

HCR 5032 reported correctly enrolled, properly signed on April 2, 2012.

HR 6020, HR 6023, HR 6024, HR 6027 reported correctly enrolled and properly signed on April 5, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Thursday, April 26, 2012.

CHARLENE SWANSON, *Journal Clerk.*

SUSAN W. KANNARR, *Chief Clerk.*

