

Journal of the House

FIFTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, April 27, 2012, 10:30 a.m.

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

The roll was called with 115 members present.

Rep. Le Doux was excused on verified illness.

Reps. Aurand, Brunk, Crum, S. Gatewood, Kelley, Kiegerl, Slattery, Swanson and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Everett Schultz, of First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

Our Father,

We come before Thee this morning thanking you for the many blessings you have bestowed upon our great nation and upon this great state of Kansas. I want to thank you that this great state still opens each session of this House with prayer. Your Word tells us that where two or three are gathered together in Your name, there You are in the midst of them. So I thank You that You are with us in this House right now.

Father, the people in this house make decisions that affect every Kansan. As they struggle with the issues of the budget, of education, and of redistricting; please give them wisdom and understanding to be able to understand and consider all the alternatives. Help them to be able to see and understand each other's position, and help them to work together to achieve the result that is the best for all involved. Help them to withstand the pressures from special interest groups and influential constituents and provide the best decision for all.

Father, please be with each one as they debate and consider these difficult issues. The next few weeks will be very stressful as they consider the issues before them. Give each one wisdom, understanding and a willingness to work together. May their decisions be the correct ones for the continued well-being of Kansas.

Please remember our doorman, Jim Weaver, in your thoughts and prayers.

I ask these things in Thy name O Lord. Amen.

The Pledge of Allegiance was led by Rep. Finney.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2793, AN ACT concerning the Kansas credit services organization act; relating to the exemptions therefrom; amending K.S.A. 50-1116 and 50-1117 and repealing the existing sections, by the Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Committee of the Whole: **HB 2792**.

CHANGE OF REFERENCE

Speaker pro tem Vickrey announced the withdrawal of **SB 314** from the Committee on Redistricting and referral to the Calendar under the heading General Orders.

COMMUNICATIONS FROM STATE OFFICERS

From Shea Robinson, KDHE - Division of Health Care Finance, pursuant to K.S.A. 65-6218, 2012 Health Care Access Improvement Panel (HCAPI Annual Legislative Report.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. O'Neal, **HR 6030**, by Representatives O'Neal, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, 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, 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, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, 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, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6030**—

A RESOLUTION congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

WHEREAS, The University of Kansas has had the honor of being home to two of the finest sports programs in the nation. Over the course of the last year, the players and coaches involved with the men's and women's basketball programs have shown what can be accomplished with hard work and dedication both on and off the basketball court and their continued efforts act to strengthen the university's proud athletic traditions that have been in place at KU since the days of coach Forrest "Phog" Allen; and

WHEREAS, The KU women's basketball team managed to pull off a long series of early season wins last fall under the leadership of coach Bonnie Henrickson and, despite losing their leading scorer in the middle of Big 12 Conference play and having to work their way through an incredibly competitive string of Big 12 Conference games, the lady Jayhawks secured a spot in the NCAA Tournament for the first time since 2000. From there the women's team then managed to make it all the way to the Sweet 16, tying the program's best NCAA finish; and

WHEREAS, The KU men's basketball team was declared to be in a state of rebuilding by many in the sports community after losing six of last year's players, but that did not stop them from having one of their best seasons yet. The Jayhawks defeated some of the top teams in the nation during their regular season and secured their eighth consecutive Big 12 Conference Championship title before making it all the way to the NCAA Tournament finals where they emerged as national runner-up. The team's Final Four appearance was the 14th in KU's storied history; and

WHEREAS, KU men's Head Coach Bill Self was named Big 12 Coach of the Year and Naismith College Coach of the Year and the players' classroom accomplishments were honored by being declared the winners of Inside Higher Ed's annual academic competition; and

WHEREAS, Both KU teams truly demonstrated an "ad astra" spirit, refusing to let their seasons and their spirits be diminished from the adversity they faced: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the University of Kansas men's and women's basketball teams on their outstanding 2011-2012 seasons. Their great athletic and academic achievements are sources of pride for the University of Kansas, the city of Lawrence and the state of Kansas. We wish all of the team members, coaches and staff the best of luck in future endeavors, both on and off the court; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative O'Neal.

Rep. O'Neal welcomed the University of Kansas men's and women's basketball teams to the House. Representing the teams were Jordan Juenemann, Travis Releford, Conner Teahan, Jeff Withey, Carolyn Davis, Angel Goodrich, CeCe Harper and Tania Jackson. Also in attendance was Sheahon Zenger, Athletics Director.

Rep. O'Neal and the members of the House congratulated the teams on their exceptional year with a standing ovation.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Meier, **HR 6031**, by Representatives Meier, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, 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, 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, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, 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, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6031**—

A RESOLUTION recognizing April as the month of the military child.

WHEREAS, Former secretary of defense, Caspar Weinberger, established April as the month of the military child in 1986; and

WHEREAS, There are more than 1.7 million American military children and over 33,000 Kansas military children; and

WHEREAS, These military children face unique challenges and make daily sacrifices for the service of their military parents; and

WHEREAS, Despite the burdens they shoulder, military children show incredible strength, character and resolve in their ability to adapt and thrive in often difficult circumstances; and

WHEREAS, Military children have incredible opportunities to see the world, learn about different cultures first hand and meet people of various races, nationalities and religions; and

WHEREAS, The United States military strives to provide the best educational facilities and instructors for its military children; and

WHEREAS, Military children embody the community ideals of patriotism, loyalty, responsibility and courage: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the month of April as the month of the military child and congratulate and commend the military children of Kansas for the sacrifices they make, the challenges they overcome and the contributions they make to the state of Kansas; and

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

There being no objection, the following remarks of Reps. Carlin, Meier and Goodwin are spread upon the Journal:

Remarks by Rep. Carlin:

April is the national month of the Military Child. This special celebration is a legacy of former Defense Secretary Caspar Weinberger and was established to underscore the important role children play in the Armed Forces community.

Throughout the history of organized warfare, military spouses and their children have followed all military forces. Referred to as "little travelers," military children have been

found in literature dating back to the early nineteenth century and though the origin of the term, "military brat," is unknown, some believe that the label originally stood for "British Regiment Attached Traveler." American "military brats" date back to the birth of the United States and here today stands a group of American "military brats," including our own Representatives Meier and Goodman.

The U.S. Department of Defense reports that there are almost two million American children and teenagers who have had at least one parent deployed in a war zone since 2001, and parents of over nine hundred thousand children have been deployed multiple times. Even when not deployed to a combat zone, the training and preparation for war involves significant dangers and time away from family. Military children must live with the reality of risk to one or both parents. A military brat understands and accepts that in the line of duty, the service person within his family may be killed or injured, so today we like to say that BRAT is an acronym that stands for "Brave, Resilient, Adaptable, and Trustworthy."

Our BRATs here today are:

Military Children from Fort Leavenworth: Madison Stebbins, Emma Stebbins and Ellie Stebbins.

Members of the Military Child Teen Council: Cassidy Seaba, Naomi Henry, Jacob Brown, Sophia Olsen, Alison White, Reed Wheeler, Jessica, Herlinger, Makayla Wassenberg, Ty Shafer, Haleigh Peterson, Shealee Crosby, Sawyer Green.

And their sponsors: Command Sergeant Major Scott Haworth and Major General Lee Tafanelli.

Remarks by Rep. Meier:

In addition to the absence of a parent, children of active duty military service members must endure a transient lifestyle, routinely leaving friendships behind and being unable to see extended family on a regular basis. They must change schools and often the move is in the middle of the school year. I am very proud that Kansas recognizes the special challenges military children face in moving and was the first state to enter into The Interstate Compact on Educational Opportunity for Military Children in 2008. At least 35 states are now a part of this effort to address the issues that arise when a child moves from one state school system to another with different curriculum and graduation requirements. I will always remember when I moved in the middle of the 9th grade and ended up studying the same thing the second semester that I did in the first because the two states had the same curriculum but did not cover it in the same order. I thought at the time that it was particularly unfortunate that I had to dissect a second smelly frog!

And today, with the heavy deployment of our Reserve Forces, children in reservist and National Guard families do not even have the company of peers experiencing the same situation, like the military child that lives on a base surrounded by other military families. An extra worry these children can also face is new financial hardship in addition to the absence of a parent. Often there is a shortfall in family income from civilian employment with the extra money from a monthly drill, to full time active duty which often pays much less.

Remarks by Rep. Goodman:

However, the military child actually has an advantage and head start in life. Besides

being brought up in a patriotic and disciplined environment, they are exposed to a wide range of regional cultural differences in the United States and foreign cultures and languages while living overseas. Military children tend to cultivate resilience, exceptional social skills, proficiency in foreign languages, and a high level of multicultural and international awareness. They learn to make new friends quickly and adapt to change. They are friends with children of all cultures and see the world as an adventure rather than something unknown and frightening.

Somewhere in the history of the military brat, someone declared the official flower of the military child as the dandelion. A dandelion is a plant that puts down roots almost anywhere, and is almost impossible to destroy. The dandelion is an unpretentious plant, yet good looking with the habit of being where you least expect it. It is a survivor in a broad range of climates. Kansas recognizes that the care of military children sustains our fighting force, and strengthens the health, security, and safety of our state and nation's families and communities.

Closing by Rep. Meier:

Please help me celebrate the Month of the Military Child and recognize their representatives here.

REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **Substitute for SB 39** be amended by substituting a new bill to be designated as "HOUSE Substitute for Substitute for SENATE BILL NO. 39," as follows:

"HOUSE Substitute for Substitute for SENATE BILL NO. 39

By Committee on Appropriations

"AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate; relating to the selling of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397."; and the substitute bill be passed.

(**H Sub for Sub SB 39** 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. 152, by Representative Calloway, honoring Homer G. Cole for a lifetime of service to country and community;

Request No. 153, by Representative Smith, in memory of Kelsey Ann Smith marking the fifth anniversary of her death and being the driving force of the Kelsey Smith Foundation;

Request No. 154, by Representative Bollier, recognizing the Shawnee Mission East Boys Swim and Dive Team for being named the 2012 6A State Champions;

Request No. 155, by Representative Hermanson, commending Fred Hermes on exceptional management skills with Axiom Healthcare Management;

Request No. 156, by Representative Hermanson, commending Diana Meyer on demonstrating outstanding support, organizational skills, and a desire to serve the needs

of the Kansas State Legislature;

Request No. 157, by Representative Peck, congratulating Daniel Groves on his 90th birthday;

Request No. 158, by Representative Wolf, congratulating Andrew McWard, Hudson Peters, Anamika Ratri, Jocelyn Worner and team coach, Brenda Fishman of Shawnee Mission East High School, winners of the Kansas City Academic WorldQuest;

Request No. 159, by Representative Swanson, congratulating Fort Riley Middle School and Principal, Joe Handlos, for being recognized as the 2012 KAMSA Middle School of the Year;

Request No. 160, by Representative Bowers, congratulating Captain Murl Riedel for receiving the Distinguished Service Medal from the National Guard Association of Kansas;

Request No. 161, by Representative Bowers, congratulating Val Beikmann for being named 2012 Counselor of the Year by the Kansas Counseling Association;

Request No. 162, by Representative Bowers, congratulating Tim and Carrie Parker for receiving the Pursuit of Excellence Award from Taco John's International;

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. Siegfroid, the committee report was adopted.

On motion of Rep. Siegfroid, the House adjourned until 11:00 a.m., Monday, April 30, 2012.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

