

Journal of the House

FORTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 17, 2003, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Gilbert, Kauffman, Sawyer and Swenson were excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

This morning's prayer was composed by Saint Patrick in the year 433. He was aware that there was an ambush to try to kill him and his group en route to the King's court. It was during the march that they chanted the sacred Lorica or Deer's Cry—later known as St. Patrick's Breastplate.

Legend reports that as the druids lay in hiding, ready to kill, they saw not Patrick and his men, but a gentle doe followed by twenty fauns. St. Patrick and his men were saved.

I arise today, through God's strength to pilot me; God's might to uphold me, God's wisdom to guide me, God's eye to look before me, God's ear to hear me, God's word to speak for me, God's hand to guard me, God's way to lie before me, God's shield to protect me, God's host to secure me: against snares of devils, against temptations of vices, against inclinations of nature, against everyone who shall wish me ill, afar and anear, alone and in a crowd.

The Lord be with me, The Lord before me, The Lord behind me, The Lord in me, the Lord beneath me, The Lord above me, The Lord on my right, The Lord on my left, The Lord in breadth, The Lord in length, The Lord in height, The Lord in the heart of every man who thinks of me, The Lord in the mouth of every man who speaks of me, The Lord in every eye that see me, The Lord in every ear that hears me. Amen.

Adapted from the "Lorica" or Prayer of St. Patrick, A.D. 433

The Pledge of Allegiance was led by Rep. Aurand.

SPECIAL CELEBRATION

In celebration of St. Patrick's Day, Rep. Beggs played "When Irish Eyes Are Smiling" and "O Danny Boy" on the harmonica.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2443. An act concerning the Kansas animal health department; requiring certain rabies vaccinations and imposing a surcharge therefor; limiting certain fees; creating the animal welfare fund; amending K.S.A. 2002 Supp. 47-1721 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **SB 123.**

Higher Education: **SB 7.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6014—

By Representatives D. Johnson and Aurand, Ballard, Ballou, Barbieri-Lightner, Beggs, Bethell, Betts, Boyer, Brunk, Burgess, Burroughs, Campbell, Carlin, Carter, Compton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Dreher, Edmonds, Faber, Feuerborn, Flaharty, Flora, Freeborn, Gatewood, Gilbert, Goering, Goico, Gordon, Grant, Hayzlett, Henderson, Henry, Hill, Holland, Holmes, Horst, Howell, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, E. Johnson, Kassebaum, Kauffman, Kirk, Klein, Krehbiel, Kuether, Landwehr, Larkin, Light, Loganbill, M. Long, P. Long, Loyd, Mason, Mays, McCreary, McKinney, McLeland, Merrick, F. Miller, J. Miller, Minor, Jim Morrison, Judy Morrison, Myers, Neighbor, Neufeld, Newton, Nichols, Novascone, O'Malley, O'Neal, Osborne, Ostmeyer, Owens, Patterson, Pauls, Peterson, Phelps, Pottorff, Powell, Powers, Reardon, Rehorn, Reitz, Ruff, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shriver, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Tafaneli, Thimesch, Thull, Toelkes, Vickrey, Ward, Wilk, D. Williams, J. Williams, Wilson, Winn, Yoder and Yonally

A RESOLUTION honoring all veterans from Kansas who served during the Korean War.

WHEREAS, Americans across this great nation are honoring veterans who served and fought so bravely 50 years ago during the Korean War; and

WHEREAS, Citizens of Kansas are commemorating the service of Kansans who served and fought in the Korean War through various organizations and committees such as the Heartland Heroes and the 50th Anniversary Korean War Commemoration Committee; and

WHEREAS, The United States of America served as the lead nation for the first United Nations military action in the Korean War and veterans of the many campaigns from this war battled in some of the bloodiest and horrific combat ever faced by soldiers of our country; and

WHEREAS, Battles raged from the moment Communist forces invaded South Korea and legendary actions occurred such as the heroic delaying actions of Task Force Smith, the Inchon Landing and the Pusan Perimeter Breakout. The United States led coalition forces fought from the southern tip of the Korean Peninsula to the Yalu River border with China; and

WHEREAS, Many great Kansans participated in these epic battles, and Kansas National Guard units were called to service for this war. These patriotic Kansans served with honor and valiant distinction, as epitomized by great Kansas heroes such as Master Sergeant Stanley T. Adams of Olathe, Kansas, United States Army; and Corporal Jack A. Davenport, United States Marine Corps, of Mission, Kansas, who were awarded the Medal of Honor for gallant service during the Korean War; and

WHEREAS, 50th Anniversary commemoration events will culminate in July, 2003, marking the cease fire that ended most direct action hostilities on the Korean Peninsula; and

WHEREAS, A state of war still exists in Korea, but through the stubborn and defiant efforts of soldiers, marines, airmen and sailors, many from Kansas, the cease fire has been observed for 50 years; and

WHEREAS, "The Forgotten War" because it happened so close to the end of World War II, shall not be forgotten, nor shall the efforts and heroism of the many brave veterans from Kansas who fought, died, and were wounded to further America's values and freedom for the people of South Korea: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor all veterans from Kansas who served during the Korean War upon this 50th anniversary of the Korean War and encourage the citizens of Kansas to study, learn and honor the service of these veterans; and

Be it further resolved: That the Chief Clerk of the House of Representatives be directed to send an enrolled copy of this resolution to Heartland Heroes and the 50th Anniversary Korean War Commemoration Committee.

CONSENT CALENDAR

No objection was made to **SB 26, SB 133** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker Mays announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today

REPORTS OF STANDING COMMITTEES

The Committee on **Local Government** recommends **SB 109** be amended on page 1, in line 15, before "The" by inserting "(a)"; by striking all in line 17; in line 18, by striking all before "donate" and inserting "may"; also in line 18, following "county", by inserting "in which such property is located"; by striking all in line 25 and inserting:

"(b) The township board of any township may donate and convey to the county in which such property is located any lands or property which the township has acquired for cemetery purposes or which is now being used as a cemetery by such township. Such donation and conveyance shall be made by the adoption of a resolution by the township board. The board of county commissioners of any such county may accept such donation and conveyance by the adoption of a resolution by the board of county commissioners providing for such acceptance.

Sec. 2. K.S.A. 19-3103 is hereby amended to read as follows: 19-3103. *Upon acceptance of such property by the board of county commissioners*, all cemeteries and cemetery property donated and conveyed to the county under the provisions of K.S.A. 19-3101 ~~and 19-3102 upon the acceptance of the same by the board of county commissioners, and amendments thereto~~, shall become the property of the county and shall be used for cemetery purposes. If at the time of the conveyance of any such cemetery lands or property to the county, any city or township shall have on hand any tax moneys which were levied for the purpose of paying for the maintenance and care of the cemetery so donated and conveyed, the governing body of such city or township shall pay the same into the county ~~treasury for the benefit of the county to be general fund and shall be~~ used for the same purposes as the tax levy authorized by K.S.A. 19-3105, *and amendments thereto*.

Sec. 3. K.S.A. 19-3101, 19-3102 and 19-3103 are hereby repealed.";

By renumbering section 3 as section 4;

In the title, by striking all in lines 9, 10 and 11 and inserting:

"AN ACT concerning certain municipalities; relating to the transfer of certain property acquired for cemetery purposes; amending K.S.A. 19-3101 and 19-3103 and repealing the existing sections; also repealing K.S.A. 19-3102."; and the bill be passed as amended.

CHANGE OF CONFEREES

Speaker Mays announced the appointment of Rep. Feuerborn as a member of the conference committee on **SB 4** to replace Rep. Nichols.

REPORT ON ENROLLED BILLS

HB 2006, HB 2031, HB 2159, HB 2166, HB 2196 reported correctly enrolled, properly signed and presented to the governor on March 17, 2003.

REPORT ON ENROLLED RESOLUTIONS

HCR 5007 reported correctly enrolled and properly signed on March 17, 2003.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Tuesday, March 18, 2003.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

