

Journal of the House

SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 20, 2004, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 122 members present.
Rep. O'Neal was excused on legislative business.
Rep. Schwab was excused on excused absence by the Speaker.

Prayer by Chaplain Chamberlain:

God of the prophets, our mothers and fathers in faith and in wisdom: we stand before you today as a people who have often failed to hear the word that you have sent to us through your servants. We find excuses for delaying justice. We find good reason to turn away from those whose grievances threaten our comfortable lives. We measure much of our lives with the yardstick of profit, power and privilege rather than mercy, justice and equality. Forgive us, Lord, when we ignore your word. Deepen the pain of the pangs of conscience that we feel when we see the inequities of life that are about us every day.

We thank you this day for the gift of your servant Martin Luther King, Jr. We thank you that he did not take the easy road of demagoguery and hate, but that instead, he spoke truth to power and shared your gospel of love and reconciliation with our nation.

Lord, we offer our prayer with humble and contrite hearts. Lead us all to recognize the voice of the prophets among us, to hear your word of grace and to practice your ministry of love. Amen.

The Pledge of Allegiance was led by Rep. Ballard.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2530, An act concerning the cooperative marketing act; relating to removal of officers by board of directors; amending K.S.A. 17-1612 and repealing the existing section, by Committee on Agriculture.

HB 2531, An act concerning state historic property; relating to agricultural use of land; amending K.S.A. 75-2714, 75-2715, 75-2716 and 75-2720 and repealing the existing sections, by Committee on Agriculture.

HB 2532, An act concerning sales taxation; relating to exemptions; computer software; amending K.S.A. 2003 Supp. 79-3603 and repealing the existing section; also repealing K.S.A. 2003 Supp. 79-3603c, by Committee on Taxation.

HB 2533, An act relating to the Kansas comprehensive grant program; amending K.S.A. 74-32,120 and repealing the existing section, by Committee on Higher Education.

HB 2534, An act relating to technical colleges; concerning employees thereof; amending K.S.A. 2003 Supp. 72-4478 and repealing the existing section, by Committee on Higher Education.

HB 2535, An act concerning public funded health care; relating to disclosure of employers' names, by Representative Swenson.

HB 2536, An act relating to tuition at state educational institutions, by Representative Flora.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce and Labor: **HB 2526**, **HB 2527**.

Local Government: **HB 2528**.

Taxation: **HB 2529**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6006—

By Representative Thimsech

A RESOLUTION congratulating and commending the rescuers of Timothy Potter.

WHEREAS, Timothy Potter, 18, of Goddard owes his life to the quick response to his call for help by two Goddard City Police Officers, Mike Costello and Chris Stout, by a local school district officer, Ronny Lieurance, and a neighbor, Linda Musil; and

WHEREAS, Timothy Potter was driving to pick up his brother from school when he swerved to miss a deer. His vehicle, a Chevrolet van, slipped off the road, spun, rolled over and ended right side up on the road afire with Timothy Potter's foot being pinned by the parking brake; and

WHEREAS, Timothy called 911, which call was received at the Goddard police station. It took Officers Costello, Stout and Lieurance three minutes to arrive at the accident scene. Even before their arrival, though, Linda Musil, a neighbor in the area, flagged down a school bus, took the bus' fire extinguisher and was attempting to put out a smoldering engine fire. The officers tried to pull Potter from the van without success. Officer Lieurance crawled under the smoking van where he was able to dislodge Potter's leg from the parking brake. Suddenly, fire from the motor caused the passenger air bag to explode knocking Officer Stout out of the van. Officer Costello, who was wearing leather gloves, was able to pull the flaming air bag out of the way and together the officers succeeded in removing Timothy from the van. Shortly thereafter the van was engulfed in flames. Timothy was treated at Wesley Medical Center for some bruises and scrapes and released. Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Officers Costello, Lieurance and Stout and Linda Musil for their immediate response to this emergency condition, for their heroic acts in the face of imminent danger and for saving the life of 18-year-old Timothy Potter; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide four enrolled copies of this resolution to Doyle Dyer, Chief of Police, 118 N. Main, Goddard, KS 67052 for appropriate recognition of those involved in this daring rescue and a copy to Linda Musil, 2436 S. 183rd Street, Goddard, KS 67052.

REPORTS OF STANDING COMMITTEES

The Committee on **Corrections and Juvenile Justice** recommends **HB 2049** be amended by substituting a new bill as recommended by the House Committee on Corrections and Juvenile Justice as reported in the Journal of the House on February 26, 2003, and the substitute bill be further amended:

On page 4, in line 39, by striking "2002" and inserting "2003";

On page 6, in line 10, by striking "2002" and inserting "2003"; in line 16, by striking "2002" and inserting "2003";

On page 1, in the title, in line 11, by striking "2002" and inserting "2003"; and the substitute bill be passed as amended.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Wednesday, January 21, 2004.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

