

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 2, 2004, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.
The roll was called with 103 members present.

Rep. Decker was excused on legislative business.

Reps. Barbieri-Lightner, Craft, Dillmore, Edmonds, Flaharty, Gilbert, Goico, Henderson, Henry, Huebert, Huy, Kauffman, Klein, Krehbiel, Loganbill, Reitz, Sawyer, Scoggins-Waite, Swenson, Tafanelli and D. Williams were excused on excused absence by the Speaker.

Present later: Rep. Huebert

Prayer by guest chaplain, the Rev. Angela M. Waters, Jamison Memorial Temple, Kansas City, and guest of Rep. McKinney:

GEORGE WASHINGTON CARVER DAY

Shackled by poverty, hatred and an unkind world, With a thirst for
knowledge and a desire to learn, A place in history is what George
Washington Carver earned.

As a mighty oak from little acorns grow,
Dr. Carver's meager beginnings still touch our very souls.
It is not often a man so gifted as he
Leaves such a powerful legacy for all man to see.

Carver unlocked mysteries, and uses of
Soil, peanuts, sweet potatoes and much, much more
Through science he found answers to questions he asked in his
Minneapolis, Kansas home.

Dr. Carver's life was filled with experiments and tests.
One test after another he continued his quest.
Through hard days and long, sleepless nights,
He held on in there, and never gave up the fight.

A man of peace,
A teacher of man,
Today his inventions are used throughout the land.
From Kansas to Iowa, Tuskegee and the world,
We have all been blessed by this unique Black Pearl.
Let us recognize his accomplishments,
Let us Honor his day in Kansas and throughout the whole USA
For January 5th is George Washington Carvers Day.
@By Angela M. Waters
George Washington Carvers Day 2004

Our Great Creator, As we go about the business of resolving issues and
making laws, we fear we may fall short in meeting all the needs of the
people. We ask your help and strength for the honorable people like
Representative Dennis McKinney, Senator Anthony Hensley, Speaker

Doug Mays, Attorney General Phill Kline, Senator Derek Schmidt, Representative Dan Johnson, Governor Kathleen Sebelius and others whom you have placed to rule over us and have empowered them with authority to do what is just and fair for all people.

We thank you for our local leaders like Sonny Scroggins and organizations such as the Kansas Fever Committee for helping us to stay focused on concerns which lay on the hearts and minds of many less powerful citizens, like lowering the flag for George Washington Carver Day.

Recognizing that we are imperfect man, we ask for Mercy. Believing we can make mistakes, we ask for Guidance. Knowing that we do not know everything, we ask for Wisdom, Knowledge, and Understanding. After we have done all we can, we ask for help to live by our convictions. Amen.

The Pledge of Allegiance was led by Rep. Carlin.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2675. An act concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Joint Committee on Special Claims Against the State.

HB 2676. An act concerning children in need of care; relating to the confidentiality of proceedings; amending K.S.A. 38-1552 and repealing the existing section, by Representatives F. Miller, Burroughs, Dahl, Faber, Goico, Howell, Huebert, Huy, Kauffman, Long-Mast, McCreary, Merrick, Judy Morrison, Siegfried and D. Williams.

HB 2677. An act concerning children in need of care; amending K.S.A. 38-1501, 38-1542, 38-1543, 38-1559 and 38-1563 and K.S.A. 2003 Supp. 38-1502 and repealing the existing sections, by Representatives F. Miller, Burroughs, Dahl, Howell, Huebert, Huy, Jack, Merrick, Judy Morrison and D. Williams.

HB 2678. An act concerning civil procedure; relating to small claims; amending K.S.A. 61-2706 and K.S.A. 2003 Supp. 61-2703, 61-2704 and 61-2713 and repealing the existing sections, by Representatives Campbell, Beggs, Boyer, Brunk, Burgess, Carlin, Cox, Feuerborn, Henry, Huff, Jack, D. Johnson, Kassebaum, Mason, McCreary, Judy Morrison, Novascone, O'Malley, Owens, Patterson, Reitz, S. Sharp, Siegfried, Sloan, Vickrey, Wilk, D. Williams and Yonally.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Appropriations: **HB 2666, HB 2669, HB 2670, HB 2671, HB 2672, HB 2673; SB 312.**

Environment: **HB 2674.**

Ethics and Elections: **HB 2659.**

Health and Human Services: **HB 2657, HB 2658.**

Judiciary: **SB 297.**

Taxation: **HB 2662, HB 2663, HB 2664; HCR 5032.**

Tourism and Parks: **HB 2668.**

Transportation: **HB 2660, HB 2661.**

Utilities: **HB 2665.**

Select Committee on Pensions: **HB 2667.**

CHANGE OF REFERENCE

Speaker Mays announced the withdrawal of **HB 2583** from Committee on Judiciary and referral to Committee on Environment.

COMMUNICATIONS FROM STATE OFFICERS

From Roger Werholtz, Secretary of Corrections, in accordance with the provisions of K.S.A. 2002 Supp. 60-4117, report for the Kansas Department of Corrections State Forfeiture Fund, December 1, 2002 through December 1, 2003.

From Brian J. Moline, Chair, Kansas Corporation Commission, pursuant to the provisions of K.S.A. 66-117b, Annual Report to the 2004 Kansas Legislature which can be viewed on their website at http://www.kcc.state.ks.us/04_legis_rpt.pdf.

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

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. McKinney, **HR 6004**, A resolution honoring George Washington Carver, was adopted.

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

George Washington Carver World Famous Agricultural Scientist

George Carver, 1864-1943, spent his early childhood near Diamond Grove, Missouri. According to Carver, "As a small boy exploring the woods of the old Carver place, I had the impression someone had been there ahead of me . . . I was practically overwhelmed with the Great Spirit of the universe . . . Never since have I been without this consciousness of the Creator speaking to me through flowers, rocks, animals, plants and all other aspects of His creations."

It was in the late 1870's that young George Carver traveled through several towns of Eastern Kansas. He sometimes attended school and worked part time. Among these towns, were: Ft. Scott, Olathe, Spring Hill, Kansas City and Paola. He lived in Minneapolis, Kansas, from 1880-1884, attending school in grades five through high school level. George W. Carver then lived briefly in Highland, KS, before homesteading out southwest, in Ness County, near Beeler, for two years. From there, he went to Simpson College in Iowa for a year, before attending what is now Iowa State. After obtaining a Masters Degree, he lived his last 47 years at Tuskegee Institute, in Alabama. The scientist, George Washington Carver, developed over 300 synthetic products from the peanut, including milk, butter, cheese, coffee and flour, to name a few.

A great humanitarian, and an inventive genius, this man born of slaves, taught southern farmers, black and white, how to enrich the soil. He gave his inventions freely to mankind, refusing the large sums offered for their commercial exploitations.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Yonally, **HR 6015**, A resolution congratulating and commending Marlin Fitzwater, was adopted.

CONSENT CALENDAR

No objection was made to **HB 2549** appearing on the Consent Calendar for the first day.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2679, An act concerning sales taxation; relating to exemptions; identification numbers and certificates; amending K.S.A. 2003 Supp. 79-3651 and repealing the existing section, by Committee on Taxation.

HB 2680, An act concerning alcoholic liquor; relating to licenses; delinquent taxes; amending K.S.A. 2003 Supp. 41-311 and 41-2623 and repealing the existing sections, by Committee on Taxation.

HB 2681, An act concerning sales taxation; relating to exemption; utilities furnished through meter; claim of refund, by Committee on Taxation.

HB 2682. An act concerning cigarettes; relating to sales by licensed dealers; sales tax requirements; shipment; providing penalties for certain unlawful acts; counterfeit cigarettes, by Committee on Taxation.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Tuesday, February 3, 2004.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

