

# Journal of the House

## EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 20, 2005, 10:30 a.m.

The House met pursuant to adjournment with Speaker pro tem Merrick in the chair. The roll was called with 119 members present.  
Reps. Beggs and M. Miller were excused on verified illness.  
Reps. Kelsey, B. Sharp and Yoder were excused on legislative business.  
Rep. Carter was excused on excused absence by the Speaker.

Prayer by guest chaplain, Lt. Colonel Donald F. Davidson, Command Chaplain, 35th Infantry Division, Kansas Army National Guard:

Mighty God of many nations known by many names, help us to unite together as we celebrate this day the gift of democracy in this historic chamber, and in our nation's capital.

Make us mindful of the sacrifice of thousands who have answered the call of service for their country, and made it possible for the light of freedom to burn brightly across this land.

Bless those who this day may be in harm's way and who wear proudly the uniform of our nation or others who in so many ways serve so that all may breathe free.

Bless our leaders. Give them the courage to make decisions based upon justice that protects the dignity of all people.

Lord of all that ever was and ever will be, we pray that there will be a day when your peace shall reign across all lands.

We pray in the Spirit of your perfect will. Amen.

The Pledge of Allegiance was led by Rep. Storm.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2087**, An act concerning crimes and punishment; relating to identity theft; amending K.S.A. 2004 Supp. 21-4018 and repealing the existing section, by Representative Mast.

**HB 2088**, An act concerning crimes and punishment; relating to giving birth without medical assistance, by Representative Mast.

**HB 2089**, An act relating to drivers' licenses; concerning the issuance of hardship licenses, by Representative Bethell (By request).

**HB 2090**, An act amending the Kansas automobile injury reparations act; concerning certain penalties; amending K.S.A. 40-3104 and repealing the existing section, by Representative Bethell (By request).

**HB 2091**, An act concerning the open records act; amending K.S.A. 2004 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 2004 Supp. 45-221g and 45-221h, by Committee on Governmental Organization and Elections.

**HB 2092**, An act concerning county treasurers; relating to terms of office; amending K.S.A. 19-501 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2093.** An act concerning counties; relating to changes in boundaries; amending K.S.A. 18-202 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2094.** An act enacting the efficiency in local government act; amending K.S.A. 2004 Supp. 19-205 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2095.** An act concerning the attorney general; establishing an office of public integrity, by Committee on Governmental Organization and Elections.

**HB 2096.** An act relating to research universities; concerning the sale of certain patents and processes, by Committee on Higher Education.

**HB 2097.** An act relating to banks and trust companies; concerning the exchange of certain examinations and reports; amending K.S.A. 9-1303 and repealing the existing section, by Committee on Financial Institutions.

**HB 2098.** An act relating to banks; concerning trust authority; amending K.S.A. 9-1601 and repealing the existing section, by Committee on Financial Institutions.

**HB 2099.** An act relating to credit unions; concerning powers of the credit union administrator; amending K.S.A. 17-2206 and 17-2244 and repealing the existing sections, by Financial Institutions.

**HB 2100.** An act concerning sales taxation; relating to exemptions; municipal golf courses; amending K.S.A. 2004 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2101.** An act concerning sales tax on isolated or occasional sales of motor vehicles; relating to base of computation; sales tax refunds; amending K.S.A. 2004 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

**HB 2102.** An act concerning sales taxation; relating to exemptions; amending K.S.A. 2004 Supp. 74-50,115 and repealing the existing section, by Committee on Taxation.

**HB 2103.** An act concerning weights and measures; relating to standards and requirements of commercial weighing and measuring devices; amending K.S.A. 2004 Supp. 83-202 and repealing the existing section, by Committee on Agriculture.

**HB 2104.** An act concerning the uniform commercial code; concerning securities interests in oil and gas production; amending K.S.A. 2004 Supp. 84-9-324 and repealing the existing section, by Committee on Judiciary.

**HB 2105.** An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation; membership; employee and employer contributions; state fire marshal's office, by Committee on Appropriations.

**HB 2106.** An act relating to the Kansas department of transportation; concerning the official state transportation map of Kansas, by Committee on Appropriations.

**HB 2107.** An act concerning promulgation of rules and regulations by the secretary of social and rehabilitation services; relating to the prior authorization program; amending K.S.A. 2004 Supp. 39-7,120 and repealing the existing section, by Committee on Appropriations.

**HB 2108.** An act amending the state water plan storage act; amending K.S.A. 2004 Supp. 82a-1308a, 82a-1315b and 82a-1315c and repealing the existing sections, by Committee on Appropriations.

**HB 2109.** An act concerning motor vehicles; relating to the child passenger safety act and the safety belt use act; amending K.S.A. 8-1343a and 8-2502 and repealing the existing sections, by Committee on Transportation.

**HB 2110.** An act concerning adult care homes; providing for a medical review panel, by Committee on Health and Human Services.

**HB 2111.** An act enacting the efficiency in local government act; amending K.S.A. 2004 Supp. 19-205 and repealing the existing section, by Representative O'Neal.

**HB 2112.** An act concerning civil procedure; relating to legal custody of children; amending K.S.A. 2004 Supp. 60-1610 and repealing the existing section, by Committee on Judiciary.

**HB 2113.** An act concerning municipal courts; relating to collection of fines and court costs, by Committee on Judiciary.

**HB 2114.** An act concerning civil procedure; relating to civil liability for serving alcoholic beverages; amending K.S.A. 41-715 and repealing the existing section, by Committee on Judiciary.

**HB 2115.** An act concerning hunting; relating to archery management units for deer; amending K.S.A. 2004 Supp. 32-937 and repealing the existing section, by Committee on Wildlife, Parks and Tourism.

**HB 2116.** An act concerning wildlife and parks; concerning disposition of certain federal moneys, by Committee on Wildlife, Parks and Tourism.

**HB 2117.** An act concerning vessels; imposing certain requirements; prohibiting certain acts; providing penalties for certain violations; relating to certain healthcare records; amending K.S.A. 32-1110, 32-1111, 32-1119, 32-1125, 32-1128 and 32-1180 and K.S.A. 2004 Supp. 32-1102 and 32-1173 and repealing the existing sections, by Committee on Wildlife, Parks and Tourism.

**HB 2118.** An act concerning cemetery corporations; relating to the disclosure of certain records; amending K.S.A. 17-1312e and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2119.** An act concerning the open records act; relating to definitions; amending K.S.A. 45-217 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2120.** An act concerning insurance companies; relating to the disclosure of information; amending K.S.A. 40-222 and repealing the existing section, by Committee on Governmental Organization and Elections.

**HB 2121.** An act concerning certain criminal records; relating to the disclosure thereof; amending K.S.A. 22-3711 and repealing the existing section, by Governmental Organization and Elections.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6007—

By Representative Krehbiel

A RESOLUTION honoring the courage, heroism and sacrifice of war dogs.

WHEREAS, Over the course of our nation's military history, thousands of war dogs served during World War I, World War II, Korea, Vietnam, the Gulf War, Bosnia, Kosovo peacekeeping operations and coalition operations in Afghanistan and Iraq; and

WHEREAS, These war dogs were specially trained for jobs such as scout, sentry, tracker, mine and booby trap detection, tunnel, water patrol, coast guard, messenger, search and rescue, explosive detection and drug detection; and

WHEREAS, America's military war dog teams have a long and legendary history of courage, heroism and sacrifice on thousands of foreign fields of battle and are credited with saving countless numbers of lives of Americans, allies and noncombatants; and

WHEREAS, War dogs have significantly reduced the enemy's capacity to sabotage or destroy war equipment worth billions of dollars; and

WHEREAS, War dogs work for food, water and the love, loyalty and bond of their handlers. The loving bond and extreme loyalty between dog and handler is unconditional and immeasurable; and

WHEREAS, Thousands of war dogs with names like Stubby, Chips, Prince, Rolf, Rip, Clipper, Duke, Lady, Flop, Erich, London, Rebel, Sarge, Kelly, Tiger, Smokey, Missy, Roger, Teddy, Troubles, Dutch, Blitz, Cimmaron and Hansle never returned from their duty in harm's way; and

WHEREAS, The National War Dog Team Memorial is currently proposed for construction and permanent display in Washington, D.C., and contributions for this endeavor are underway: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we commend the valiant efforts of our war dogs and offer our humble gratitude for the heroic duties, great feats and sacrifice war dogs have made as the American serviceperson's auxiliary and best friend.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

- Appropriations: **HB 2085**.
- Corrections and Juvenile Justice: **HB 2081**.
- Governmental Organization and Elections: **HB 2083**.
- Health and Human Services: **HB 2077, HB 2086**.
- Taxation: **HB 2080, HB 2082**.
- Transportation: **HB 2078**.
- Utilities: **HB 2084**.
- Wildlife, Parks and Tourism: **HB 2079**.

**CHANGE OF REFERENCE**

Speaker pro tem Merrick announced the withdrawal of **HB 2009** from Committee on Taxation and referral to Committee on Transportation.

**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **HB 2059** be amended on page 5, in line 5, by striking "called to active service" and inserting "ordered to full-time active duty"; and the bill be passed as amended.

**COMMITTEE ASSIGNMENTS**

The following committee assignments have been made:

- Administrative Rules and Regulations:** Rep. Henry, ranking minority member.
- Joint Committee on State-Tribal Relations:** Rep. Sawyer.

On motion of Rep. Aurand, the House adjourned until 10:00 a.m., Friday, January 21, 2005.

JANET E. JONES, *Chief Clerk*.

CHARLENE SWANSON, *Journal Clerk*.

