

Journal of the House

TWENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 20, 2009, 9:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 119 members present.
Rep. Roth was excused on verified illness.
Reps. Colloton, Crum, George, Meier and Sawyer were excused on excused absence by the Speaker.
Rep. K. Wolf was excused later in the morning on excused absence by the Speaker.
Prayer by guest chaplain, the Rev. Barb Sundermeyer, Assistant Pastor, Family Life Church of the Nazarene, Topeka:

God, our Heavenly Father,
We know that you hear each and every word we speak, whether it be in praise to you or out of concern for situations in our lives, so we thank you for the privilege to be in Your presence this morning.
I thank you for the dedication of each of these standing here.
And, this morning I pray Psalm 16:7&8 over each one:
"I will bless the Lord who counsels me; for He gives me wisdom in the night. He tells me what to do. I am always thinking of the Lord and because He is so near, I never need to stumble or to fall."
I pray today, that you will *give counsel* and bless *this* day's work by each representative that they, like King David in this psalm, will never need "stumble or fall." Remind them to *bathe in prayer* their work load for this day—that they may govern today—this great state of Kansas—*through Your wisdom*.
Then, I pray that You will go with each one at the close of this day, as they return to their homes, their families, their places of worship . . . to be rested, renewed and restored in You.
We pray today for Representative Colloton and her family in the loss of her sister.
I pray this in the name of Jesus the Christ, Amen.

The Pledge of Allegiance was led by Rep. Grange.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:
Aging and Long Term Care: **SB 148**.
Agriculture and Natural Resources: **SB 64, SB 183**.
Corrections and Juvenile Justice: **Sub. SB 28**.
Economic Development and Tourism: **SB 119**.
Elections: **SB 79, SB 103, Sub. SB 117, SB 171**.
Energy and Utilities: **Sub. SB 48**.
Federal and State Affairs: **SB 53, SB 187**.
Financial Institutions: **SB 72**.
Health and Human Services: **SB 83, SB 173, SB 200, SB 249**.

Insurance: **Sub. SB 89.**
 Judiciary: **SB 134, SB 158, SB 159, SB 168.**
 Taxation: **HB 2352, HB 2353; SB 138.**
 Transportation: **SB 46, SB 60, SB 122, SB 145.**
 Select Committee on KPERS: **SB 219.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 9, SB 37, SB 39; Sub. SB 58; SB 59, SB 69, SB 84, SB 87, SB 105, SB 120, SB 152, SB 154, SB 160, SB 162, SB 163, SB 175, SB 203, SB 228, SB 237, SB 238, SB 240.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 9, SB 37, SB 39; Sub. SB 58; SB 59, SB 69, SB 84, SB 87, SB 105, SB 120, SB 152, SB 154, SB 160, SB 162, SB 163, SB 175, SB 203, SB 228, SB 237, SB 238, SB 240.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2010. An act concerning state board of healing arts; relating to storage, maintenance and transfer of medical records; creating medical records maintenance trust fund; amending K.S.A. 2008 Supp. 65-28,128 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 110; Nays 9; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huntington, Jack, Johnson, Kerschen, Kiegerl, King, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Donohoe, Faber, Huebert, Kelley, Kinzer, Merrick, Powell, Siegfried.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2054. An act relating to insurance; concerning title insurance; amending K.S.A. 40-1137 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 8; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Craft, Crow, Davis, DeGraaf, Dillmore, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kerschen, Kiegerl, King, Kleeb, Knox, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Carlson, Donohoe, Gordon, Kelley, Kinzer, Landwehr, Siegfried.
 Present but not voting: None.
 Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.
 The bill passed.

HB 2098, An act concerning crimes, punishment and criminal procedure; relating to sexual offenses; amending K.S.A. 21-3525 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2125, An act concerning registers of deeds; pertaining to duties regarding plats; amending K.S.A. 19-1207, 58-3115 and 58-3707 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2126, An act concerning telecommunications; relating to providing caller location in emergency situations, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, John-

son, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Peck.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2142. An act concerning licensure and continuing education requirements for certain trades and crafts; amending K.S.A. 2008 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 2; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Faber, Otto.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

Sub. HB 2143. An act relating to driver's licenses; providing for certain restrictions; amending K.S.A. 8-235d, 8-239, 8-291, 8-296 and 8-297 and K.S.A. 2008 Supp. 8-234a and 8-237 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 16; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, Horst, Huntington, Jack, Johnson, Kelley, Kerschen, King, Kleeb, Knox, Kuether, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley.

Nays: A. Brown, Donohoe, Faber, Gordon, M. Holmes, Huebert, Kiegerl, Kinzer, Landwehr, Lane, McLeland, Neufeld, Peck, Powell, Schroeder, Yoder.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The substitute bill passed, as amended.

HB 2155. An act concerning land banks; relating to the establishment of the city of Topeka land bank, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 38; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Burgess, Burroughs, Carlin, Craft, Crow, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grant, Hawk, Henderson, Henry, Hill, Hineman, C. Holmes, M. Holmes, Horst, Johnson, Kerschen, King, Kleeb, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, McCray-Miller, Menghini, Morrison, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Prescott, Proehl, Rardin, Ruiz, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Ward, Wetta, Williams, B. Wolf, Worley, Yoder.

Nays: Aurand, A. Brown, Brunk, Carlson, DeGraaf, Donohoe, Faber, Grange, Hayzlett, Hermanson, Huebert, Huntington, Jack, Kelley, Kiegerl, Kinzer, Knox, Landwehr, Mast, McLeland, Merrick, Moxley, O'Brien, Peck, Pottorff, Powell, Quigley, Rhoades, Schwab, Siegfried, Slattery, Spalding, Tafanelli, Vickrey, Watkins, Whitham, Winn, K. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2157, An act concerning the Topeka/Shawnee county riverfront authority act; amending K.S.A. 2008 Supp. 12-5611 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 4; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Dillmore, Faber, Neufeld.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2162, An act concerning the behavioral sciences; marriage and family therapists and psychologists; amending K.S.A. 65-6404 and 74-5310 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 4; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Feuerborn, Powell, Ward.

Present but not voting: None.
 Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.
 The bill passed, as amended.

HB 2164, An act concerning judges and justices; relating to retirement age; amending K.S.A. 20-2608 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 47; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Benlon, Bowers, Brookens, T. Brown, Brunk, Burroughs, Carlin, Carlson, Craft, Crow, Davis, Faber, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, Gordon, Goyle, Grant, Hawk, Henderson, Hineman, Horst, Huntington, Jack, Kinzer, Kleeb, Kuether, Loganbill, Long, Mah, Maloney, McCray-Miller, Menghini, Morrison, Moxley, Myers, Neighbor, O'Neal, Palmer, Patton, Pauls, Peterson, Phelps, Powell, Prescott, Proehl, Quigley, Rardin, Ruiz, Schwab, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Talia, Tietze, Trimmer, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Aurand, Bethell, A. Brown, Burgess, DeGraaf, Dillmore, Donohoe, Feuerborn, Finney, S. Gatewood, Goico, Grange, Hayzlett, Henry, Hermanson, Hill, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kerschen, Kiegerl, King, Knox, Landwehr, Lane, Light, Lukert, Mast, McLeland, Merrick, Neufeld, O'Brien, Olson, Otto, Peck, Pottorff, Rhoades, Schroeder, Schwartz, Siegfried, Swenson, Tafanelli, Vickrey, Ward, Watkins.

Present but not voting: None.
 Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.
 The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2164** because it amounts to extending the contract of employees that are not doing a good job now.—BILL OTTO

MR. SPEAKER: Although I do not believe this body should be telling the judicial branch when judges must retire, I vote yes on **HB 2164** because it provides more flexibility. I believe this body has a duty to show respect for fellow public servants in the judiciary.—MARTI CROW

HB 2165, An act concerning crimes and punishment; relating to unlawfully hosting minors; amending K.S.A. 21-3610c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 1; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Powell.
 Present but not voting: None.
 Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.
 The bill passed, as amended.

HB 2197, An act concerning state educational institutions; relating to the admission of students thereto; amending K.S.A. 76-717 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: D. Gatewood, S. Gatewood, Ward.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2201. An act concerning child support enforcement; relating to conditions placed on licensees; amending K.S.A. 74-147 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 5; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Craft, Faber, Lane, Powell, Schwartz.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2219. An act concerning the Kansas performance measurement commission; amending K.S.A. 2008 Supp. 74-72.121 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2222. An act concerning state agencies; relating to the collection of licenses, fees, charges, taxes and exactions, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 26; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Burgess, Burroughs, Carlin, Craft, Crow, Davis, Dillmore, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Goyle, Grant, Hawk, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Johnson, Kerschen, King, Kleeb, Knox, Kuether, Light, Loganbill, Long, Lukert, Mah, Maloney, McCray-Miller, Menghini, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Brunk, Carlson, DeGraaf, Donohoe, Faber, Feuerborn, Gordon, Grange, Hayzlett, Huebert, Huntington, Jack, Kelley, Kiegerl, Kinzer, Landwehr, Lane, Mast, McLeland, Merrick, O'Brien, Peck, Powell, Siegfried, Whitham.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2265. An act concerning the legislative post audit act; relating to periodic audits of the state treasurer and the pooled money investment board; transition audits; amending K.S.A. 2008 Supp. 46-1106 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2267. An act concerning the Kansas commission on veterans affairs; relating to the membership thereof; amending K.S.A. 73-1208a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, John-

son, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2270, An act concerning income taxation; relating to apportionment of business income; amending K.S.A. 2008 Supp. 79-3279 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2287, An act pertaining to health reimbursement arrangements, was considered on final action.

On roll call, the vote was: Yeas 57; Nays 62; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Bowers, Brookens, A. Brown, Brunk, Burgess, Carlson, DeGraaf, Donohoe, Faber, Fund, Goico, Gordon, Grange, Hayzlett, Hermanson, C. Holmes, M. Holmes, Horst, Huebert, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Maloney, Mast, McLeland, Merrick, Morrison, Myers, Neufeld, O'Brien, O'Neal, Olson, Otto, Patton, Peck, Powell, Prescott, Rhoades, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Tafanelli, Vickrey, Watkins, Whitham, Worley, Yoder.

Nays: Ballard, Benlon, Bethell, T. Brown, Burroughs, Carlin, Craft, Crow, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Furtado, Garcia, D. Gatewood, S. Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Hineman, Huntington, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, McCray-Miller, Menghini, Moxley, Neighbor, Palmer, Pauls, Peterson, Phelps, Pottorff, Proehl, Quigley, Rardin, Ruiz, Schwab, Slattery, Spalding, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill did not pass.

HB 2292, An act concerning consumer credit; relating to security freeze on consumer reports; amending K.S.A. 2008 Supp. 50-702 and 50-723 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2297, An act concerning geriatric medicine; relating to approved postgraduate residency training program for the university of Kansas school of medicine and the doctor of osteopathy medical student loan programs; amending K.S.A. 2008 Supp. 74-3266 and 76-381 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

HB 2308, An act concerning the personal and family protection act; amending K.S.A. 2008 Supp. 75-7c03 and 75-7c05 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan,

Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed.

HB 2321, An act concerning sales taxation; relating to Kansas retailers' sales tax act; political subdivisions thereunder; horsethief reservoir benefit district; amending K.S.A. 2008 Supp. 79-3602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 7; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Feuerborn, Finney, Flaharty, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Light, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Burroughs, Donohoe, Faber, Frownfelter, Lane, Loganbill, Peck.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The bill passed, as amended.

Sub. HB 2339, An act concerning certified public accountants; relating to licensure, examination, registration and peer review; amending K.S.A. 1-307, 1-315 and 1-322 and K.S.A. 2008 Supp. 1-301, 1-302b, 1-308, 1-310, 1-311, 1-312, 1-316, 1-321 and 1-501 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 17; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Craft, Crow, Davis, DeGraaf, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Goyle, Grange, Grant, Hawk, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huntington, Johnson, Kerschen, King, Kleeb, Knox, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Carlson, Donohoe, Faber, Gordon, Hayzlett, Huebert, Jack, Kelley, Kiegerl, Kinzer, Landwehr, Merrick, O'Brien, Powell, Siegfried, Watkins.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

The substitute bill passed, as amended.

HCR 5010, A proposition to amend section 11 of article 1 of the constitution of the state of Kansas, relating to filling vacancies in executive offices.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 11 of article 1 of the constitution of the state of Kansas is hereby amended to read as follows:

“§ 11. Vacancies in executive offices. ~~When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The legislature shall provide by law for the succession to the office of governor should the offices of governor and lieutenant governor be vacant, and for the assumption of the powers and duties of governor during the disability of the governor, should the office of lieutenant governor be vacant or the lieutenant governor be disabled. When the office of secretary of state or attorney general is vacant, the governor shall fill the vacancy by appointment for the remainder of the term. If the secretary of state or attorney general is disabled, the governor shall name a person to assume the powers and duties of the office until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by law. (a) When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by act of the legislature.~~

(b) In the event of the disability of the secretary of state or attorney general, the governor shall name a person to assume the powers and duties of the office until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by act of the legislature.

(c) When the office of lieutenant governor is vacant, the governor shall fill the vacancy by appointment for the remainder of the term.

(d) (1) Whenever a vacancy occurs in the office of attorney general, secretary of state, state treasurer or commissioner of insurance, the governor shall immediately notify in writing the chairperson of the state central committee of the political party which elected the last incumbent of such office. Such chairperson shall call a meeting of the state central committee to be held not later than 15 days after the chairperson receives notice of the vacancy. At the meeting the state central committee shall select and transmit to the governor the name of a person qualified to fill the vacancy. Within five days after receiving the name of the person selected, the governor shall appoint the named person to fill the vacancy by appointment until the next general election after such vacancy occurs, when such vacancy shall be filled by election as provided by act of the legislature.

(2) Whenever a vacancy occurs in the office of attorney general, secretary of state, state treasurer or commissioner of insurance and the immediately past incumbent of such office was an independent without political party affiliation, the vacancy shall be filled by appointment by the governor as provided by law until the next general election after such vacancy occurs, when such vacancy shall be filled by election as provided by act of the legislature.”

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

“Explanatory statement. This amendment would clarify and prescribe the method for filling vacancies of the offices of governor, lieutenant governor, attorney general, secretary of state, state treasurer and commissioner of insurance.

“A vote for this amendment would clarify and prescribe the method for filling vacancies in statewide elected offices, providing for the more immediate input of Kansas voters in the fulfillment of mid-term vacancies.

“A vote against this amendment would continue the current method for filling such vacancies.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided

by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2010.

On roll call, the vote was: Yeas 65; Nays 54; Present but not voting: 0; Absent or not voting: 6.

Yeas: Aurand, Bethell, Bowers, Brookens, A. Brown, Brunk, Burgess, Carlson, Craft, DeGraaf, Donohoe, Faber, Fund, Goico, Gordon, Grange, Hayzlett, Hermanson, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Merrick, Morrison, Moxley, Myers, Neufeld, O'Neal, Olson, Otto, Patton, Peck, Pottorff, Powell, Prescott, Proehl, Rhoades, Schroeder, Schwab, Schwartz, Seivert, Shultz, Siegfried, Sloan, Spalding, Tafanelli, Vickrey, Watkins, Whitham, B. Wolf, K. Wolf, Worley, Yoder.

Nays: Ballard, Benlon, T. Brown, Burroughs, Carlin, Crow, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Furtado, Garcia, D. Gatewood, S. Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hill, Huntington, Johnson, Kuether, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, McCray-Miller, Menghini, Neighbor, O'Brien, Palmer, Pauls, Peterson, Phelps, Quigley, Rardin, Ruiz, Slattery, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Ward, Wetta, Williams, Winn.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer.

A two-thirds majority of the members elected to the House not having voted in the affirmative, the resolution was not adopted.

On motion of Rep. Merrick, the House resolved into Committee of the Whole, with Rep. Aurand in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2131**, **HB 2152**, **HB 2214** be passed.

Sub. HB 2320 be passed over and retain a place on the calendar.

Committee report to **HB 2171** be adopted; and the bill be passed as amended.

On motion of Rep. Mast to amend **HB 2130**, Rep. Ballard requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane, and the bill be passed.

Committee report to **HB 2195** be adopted; and the bill be passed as amended.

On motion of Rep. Landwehr, **HB 2235** be referred to Committee on Appropriations.

Committee report to **HB 2158** be adopted; and the bill be passed as amended.

On motion of Rep. Dillmore to amend **HB 2134**, the motion did not prevail, and the bill be passed.

Committee report to **HB 2188** be adopted; and the bill be passed as amended.

Committee report to **HB 2258** be adopted; also, on motion of Rep. Mah be amended on page 15, in line 32, by striking "quarterly" and inserting "monthly"; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Merrick pursuant to House Rule 2311, **HB 2131**, **HB 2130**, **HB 2171**, **HB 2195**, **HB 2158**, **HB 2152**, **HB 2214**, **HB 2134**, **HB 2188**, **HB 2258** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2131, An act relating to motor vehicles; concerning license plates for disabled veterans; amending K.S.A. 8-160 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 111; Nays 7; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Carlin, Carlson, Craft, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Frownfelter, Fund, Furtado, Garcia, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Lane, Light, Loganbill, Long, Lukert, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: Burroughs, Crow, Flaharty, D. Gatewood, Kuether, Mah, Tietze.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed.

HB 2130. An act relating to motor vehicles; providing for the support Kansas arts license plate; amending K.S.A. 2008 Supp. 8-1,141 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 6; Present but not voting: 1; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Carlin, Carlson, Craft, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Frownfelter, Fund, Furtado, Garcia, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Myers, Neighbor, Neufeld, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: Burroughs, Crow, Flaharty, D. Gatewood, O'Brien, Peck.

Present but not voting: Moxley.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed.

HB 2171. An act concerning the Kansas commission on veterans affairs; relating to the Vietnam war era medallion program; prescribing guidelines and limitations, powers and duties, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed, as amended.

HB 2195, An act concerning state records; relating to maintenance and certification of electronic records; amending K.S.A. 45-406 and 75-3519 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: A. Brown.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed, as amended.

HB 2158, An act concerning the Kansas highway patrol; pertaining to the ability of officers and members of the highway patrol to hold public office; amending K.S.A. 2008 Supp. 74-2113 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed, as amended.

HB 2152, An act relating to motor vehicles; concerning towed vehicles; amending K.S.A. 2008 Supp. 8-1103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 3; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding,

Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: A. Brown, Powell, Whitham.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed.

HB 2214. An act relating to insurance; concerning risk-based capital requirements; amending K.S.A. 2008 Supp. 40-2c01 and repealing the existing section; also repealing K.S.A. 2008 Supp. 40-2c01a, was considered on final action.

On roll call, the vote was: Yeas 78; Nays 40; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Burgess, Burroughs, Craft, Davis, Dillmore, Finney, Flaharty, Frownfelter, Fund, Furtado, Goico, Goyle, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, Horst, Huntington, Johnson, Kerschen, Kleeb, Knox, Light, Loganbill, Long, Lukert, Maloney, McCray-Miller, Menghini, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Neal, Olson, Palmer, Patton, Pauls, Phelps, Pottorff, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Talia, Trimmer, Ward, Wetta, Williams, Winn, B. Wolf, Yoder.

Nays: A. Brown, Brunk, Carlin, Carlson, Crow, DeGraaf, Donohoe, Faber, Feuerborn, Garcia, D. Gatewood, S. Gatewood, Gordon, Grange, M. Holmes, Huebert, Jack, Kelley, Kiegerl, King, Kinzer, Kuether, Landwehr, Lane, Mah, Mast, McLeland, Merrick, O'Brien, Otto, Peck, Peterson, Powell, Siegfried, Tafanelli, Tietze, Vickrey, Watkins, Whitham, Worley.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed.

HB 2134. An act relating to motor vehicles; concerning distinctive license plates; amending K.S.A. 2008 Supp. 8-1,141 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 31; Present but not voting: 0; Absent or not voting: 7.

Yeas: Ballard, Bethell, Bowers, Brookens, A. Brown, Brunk, Burgess, Carlson, Craft, DeGraaf, Donohoe, Faber, Feuerborn, Finney, Fund, D. Gatewood, S. Gatewood, Goico, Goyle, Grange, Grant, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Long, Maloney, Mast, McLeland, Menghini, Merrick, Morrison, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rardin, Rhoades, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, B. Wolf, Worley, Yoder.

Nays: Aurand, Benlon, T. Brown, Burroughs, Carlin, Crow, Davis, Dillmore, Flaharty, Frownfelter, Furtado, Garcia, Gordon, Hawk, Huntington, Kuether, Lane, Loganbill, Lukert, Mah, McCray-Miller, Moxley, Myers, Neighbor, Quigley, Ruiz, Schwab, Sloan, Tietze, Trimmer, Winn.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2134**. It is OK to exempt one group simply because the state can possibly capitalize financially on the group and not exempt families who have lost loved ones in time of war. I am asking you to vote no and let's do it right next time. There is still time to do this in an exempt committee this session.—DON MYERS, TERRIE HUNTINGTON, CINDY NEIGHBOR, LANA GORDON

HB 2188. An act amending the vehicle dealers and manufacturers licensing act; providing

for a dealer-hauler full-privilege trailer license plate; amending K.S.A. 8-2406 and 8-2425 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Craft, Crow, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, McLeland, Menghini, Merrick, Morrison, Moxley, Myers, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Tafanelli, Talia, Tietze, Trimmer, Vickrey, Ward, Watkins, Wetta, Whitham, Williams, Winn, B. Wolf, Worley, Yoder.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed, as amended.

HB 2258, An act relating to the vehicle dealers and manufacturers licensing act; providing for the licensing and regulation of certain dealers; amending K.S.A. 8-135c, 8-1,137, 8-2408, 8-2434 and 8-2436 and K.S.A. 2008 Supp. 8-2401 and 8-2404 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 33; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, T. Brown, Brunk, Burgess, Carlin, Craft, Crow, Davis, Dillmore, Faber, Feuerborn, Finney, Flaharty, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, Goico, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Hineman, C. Holmes, Horst, Huntington, Johnson, King, Kleeb, Kuether, Lane, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, Menghini, Morrison, Moxley, Myers, Neighbor, O'Brien, O'Neal, Olson, Otto, Palmer, Pauls, Peterson, Phelps, Prescott, Proehl, Quigley, Rardin, Rhoades, Ruiz, Seiwert, Shultz, Slattery, Sloan, Spalding, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Vickrey, Ward, Wetta, Whitham, Williams, Winn, B. Wolf, Worley.

Nays: Brookens, A. Brown, Burroughs, Carlson, DeGraaf, Donohoe, Frownfelter, Gordon, Hermanson, M. Holmes, Huebert, Jack, Kelley, Kerschen, Kiegerl, Kinzer, Knox, Landwehr, Light, McLeland, Merrick, Neufeld, Patton, Peck, Pottorff, Powell, Schroeder, Schwab, Schwartz, Siegfried, Tafanelli, Watkins, Yoder.

Present but not voting: None.

Absent or not voting: Colloton, Crum, George, Meier, Roth, Sawyer, K. Wolf.

The bill passed, as amended.

CHANGE OF REFERENCE

Speaker pro tem Siegfried announced the withdrawal of **HB 2238** from Committee on Commerce and Labor and referral to Committee on Appropriations.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 40, by Representative Henry, commending Christian Peter Johanning on achieving the Eagle Scout Award;

Request No. 41, by Representative Henry, commending John Michael Eplee on achieving the Eagle Scout Award;

Request No. 42, by Representatives Winn and Henderson, honoring Ed Dwight for outstanding contributions to America as the first African American Astronaut Trainee, USAF Officer and Pilot, and Entrepreneur;

Request No. 43, by Representative Hineman, congratulating Wichita County Junior High School for winning the national Dance for Health contest, fundraising and promoting healthy lifestyles;

Request No. 44, by Representative Mast, commending Scott Jeffrey Jones on receiving the Eagle Scout award;

Request No. 45, by Representative Mast, commending Aaron Guy Skillman on receiving the Eagle Scout award;

Request No. 46, by Representative Tom Moxley, congratulating Donald and Frances Wilson on their 70th Wedding Anniversary;

Request No. 47, by Representatives Winn and Henderson, honoring Dr. Barbara Rhone Dwight, for her contributions to African American progress in the 20th and 21st centuries and recognizing her as an outstanding Kansas City Kansan;

Request No. 48, by Representative Kerschen, congratulating Farmers Coop Elevator of Garden Plain for 75 years of service to members;

Request No. 49, by Representative Bowers, commending Jonathan Robert Mosher on receiving the Eagle Scout award;

Request No. 50, by Representative Bowers, congratulates Sally and Dick Brooks on their 65th Wedding Anniversary;

Request No. 51, by Representatives Powell, Whitham and Hayzlett, offering congratulations on be elected President of the National Conservation District Employees Association; 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. Merrick, the committee report was adopted.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. 6011—

By Committee on Energy and Utilities

A RESOLUTION requesting the State Corporation Commission to convene a group of stakeholders to study certain aspects of energy storage and to address cost recovery for and earnings on certain investments relating to energy storage.

Be it resolved by the House of Representatives of the State of Kansas: The State Corporation Commission is hereby requested to convene a group of stakeholders, including, but not limited to, representatives of the energy storage industry, electric utilities, southwest power pool, renewable energy generators and transmission operators, to study energy storage as a cost-effective way to stabilize renewable energy generation, address transmission congestion costs, increase system reliability to customers and increase the potential for distributive generation and to study other energy storage issues as the Commission and stakeholders deem appropriate. The Commission is requested to submit to the Legislature a report and recommendations relating to the study on or before January 1, 2010, and to adopt and implement appropriate rules and regulations to address energy storage devices by that date; and

Be it further resolved: The Commission is requested to establish the method of cost recovery and earnings on investments in energy storage devices by electric utilities, regardless of whether such devices are owned by such utilities or by third parties, assuming a 20-year life expectancy for such storage devices, including compressed air energy storage devices. The Commission is requested to submit its report and recommendations on such method in the report submitted to the Legislature on or before January 1, 2010; and

Be it further resolved: The Commission is requested to address cost recovery if energy storage is used in conjunction with generation and to request, through the regional committee of the Southwest Power Pool (SPP), that the SPP determine how it should be treated and to report to the Legislature on or before January 1, 2011, regarding such cost recovery.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to House Rule 2306, the following bills were withdrawn from the calendar under the heading General Orders and were referred to Committee on Appropriations:

Sub. HB 2014; Sub. HB 2029; HB 2032, HB 2040, HB 2084, HB 2103, HB 2121, HB2144, HB 2154, HB 2160, HB 2198, HB 2249, HB 2259; Sub. HB 2320.

REPORT ON ENGROSSED BILLS

HB 2010, HB 2125, HB 2126, HB 2165, HB 2197, HB 2201, HB 2292, HB 2297, HB 2321; Sub. HB 2339 reported correctly engrossed February 19, 2009.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5010 reported correctly engrossed February 19, 2009.

REPORT ON ENROLLED BILLS

HB 2026 reported correctly enrolled, properly signed and presented to the governor on February 20, 2009.

REPORT ON ENROLLED RESOLUTIONS

HR 6010 reported correctly enrolled and properly signed on February 20, 2009.

On motion of Rep. Merrick, the House adjourned pro forma until 4:00 p.m., Tuesday, February 24, 2009.

SUSAN W. KANNARR, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

