

Journal of the House

FORTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 11, 2009, 11:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 122 members present.
Rep. Sawyer was excused on verified illness.
Rep. Sloan was excused on legislative business.
Rep. Tafanelli was excused on excused absence by the Speaker.
Present later: Rep. Tafanelli.

Prayer by Chaplain Brubaker:

Dear Lord,
It is that time of the year again . . .
tournament time on the court—
crunch time in the House.
Playing a good offense does not mean
offending those who may disagree with you.
A good defense is not
getting defensive when one's view is questioned.
A foul play should not be where
one gets attacked for their views or comments.
And, God forbid, a technical should take place
because one is ridiculed for sticking to their convictions.
Team playing is when everyone pulls together
and assists each other in winning—
rebounding and moving on
once a decision has been made.
So whether on the court or in the House,
May we all play as a team . . .
realizing that ultimate fulfillment comes
when we hear the cheers of the fans
for their victory.
In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Kiegerl.

INTRODUCTION OF GUESTS

Rep. Ballard introduced Trei J. Dudley, representing the Boys & Girls Club of Lawrence, and recipient of the 2009 Kansas Youth of the Year award. Other candidates were Macon M. Hunt, Boys & Girls Club of Topeka; Cierra R. Smith, Boys & Girls Clubs of South Central Kansas; Chelsea J. White, McConnell AFB Youth Center; Marquel Curtis Harper, Boys & Girls Club of Hutchinson Kids After School; David N. Tracy, Harrold Youth Center; Chanel R. Frazier, Fort Riley Youth Center; and Nathan A. Elder, Boys & Girls Club of Manhattan.

Rep. Ballard addressed the following remarks to the members of the House.

There are nearly 40 Boys & Girls Club locations in Kansas that serve over 58,000 young people each year and support the Youth of the Year contest. This recognition program promotes and celebrates the members' achievements and accomplishments. Sponsored by the Reader's Digest Foundation, this national program recognizes leadership skills, academic achievement, and service to Boys & Girls Clubs and community.

Five regional winners will compete for the National Youth of the Year honor, be installed by President Barack Obama, and receive a \$10,000 scholarship from the Reader's Digest Foundation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2378, An act concerning property taxation; relating to public utilities; natural gas inventories; amending K.S.A. 2008 Supp. 79-5a01 and repealing the existing section, by Committee on Taxation.

HB 2379, An act concerning estate taxation; relating to valuation of land devoted to agricultural use; amending K.S.A. 2008 Supp. 79-15,253 and repealing the existing section, by Committee on Taxation.

HB 2380, An act concerning taxation of motor vehicles; relating to exemptions for certain members of military service; amending K.S.A. 2008 Supp. 79-5107 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2377**.

Judiciary: **HB 2376**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2238** from Committee on Appropriations and rereferral to Committee on Commerce and Labor.

Also, the withdrawal of **SB 168** from Committee on Judiciary and referral to Committee on General Government Budget.

Also, the withdrawal of **HB 2360**, **HB 2370** from Committee on Appropriations and referral to Committee on General Government Budget.

COMMUNICATIONS FROM STATE OFFICERS

From William V. Minner, Executive Director, Kansas Human Rights Commission, in accordance with K.S.A. 44-1004(13), Kansas Human Rights Commission Annual Report for Fiscal Year 2008, July 1, 2007-June 30, 2008.

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

CONSENT CALENDAR

No objection was made to **SB 40**, **SB 86** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2359** appearing on the Consent Calendar for the second day.

No objection was made to **SB 46**, **SB 187** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 46, An act concerning port authorities; relating to sale of certain real or personal property; amending K.S.A. 12-3412 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, 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, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, Swenson, 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: Hill, Sawyer, Sloan, Tafanelli.

The bill passed.

SB 187, An act enacting the state fire marshal commissioned inspector act, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, 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, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, Swenson, Talia, Tietze, Trimmer, Vickrey, Ward, Wetta, Whitham, Williams, Winn, B. Wolf, K. Wolf, Worley, Yoder.

Nays: A. Brown, Donohoe, Watkins.

Present but not voting: None.

Absent or not voting: Hill, Sawyer, Sloan, Tafanelli.

The bill passed.

SB 77, An act concerning the state use law committee; date for expiration thereof; amending K.S.A. 2008 Supp. 75-3322c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Aurand, Ballard, Benlon, Bethell, Bowers, Brookens, A. Brown, T. Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Colloton, Craft, Crow, Crum, Davis, DeGraaf, Dillmore, Donohoe, Faber, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Furtado, Garcia, D. Gatewood, S. Gatewood, George, Goico, Gordon, Goyle, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hermanson, 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, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Svaty, Swanson, Swenson, 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: Hill, Sawyer, Sloan, Tafanelli.
 The bill passed.

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

COMMITTEE OF THE WHOLE

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

Recommended that committee report to **HB 2259** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2320** be adopted; also, on motion of Rep. Burgess be amended on page 1, in line 26, by striking "2009" and inserting "2011";

On page 2, in line 13, by striking "2010" and inserting "2012";

Also, on further motion of Rep. Burgess, **Sub. HB 2320** be amended on page 1, in line 42, following the period by inserting "No moneys received under the federal American economic recovery and reinvestment act of 2009, or any other federal economic recovery or stimulus act, that are deposited in the state treasury and credited to the state general fund shall be considered to be revenue credited to the state general fund for any purpose under this section and shall not be the basis for any amount of moneys to be transferred from the state general fund to the budget stabilization fund under this section.";

Also, roll call was demanded on motion of Rep. Trimmer to amend **Sub. HB 2320** on page 1, in line 26, by striking "On" where it first appears and inserting, "Except as otherwise provided in this subsection, on"; in line 39, by striking "Upon" and inserting, "Except as otherwise provided in this subsection, upon"; in line 42, following the period by inserting "No amount of moneys shall be certified to the director of accounts and reports under this section and no moneys shall be transferred from the state general fund to the budget stabilization reserve fund under this section if the state or any state agency has any outstanding, unpaid bonded debt issued by the Kansas development finance authority or any other state agency under any statute. As used in this subsection, "state agency" has the meaning ascribed thereto by K.S.A. 75-3701, and amendments thereto.";

On roll call, the vote was: Yeas 51; Nays 68; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Benlon, T. Brown, Burroughs, Carlin, Crow, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Furtado, Garcia, D. Gatewood, S. Gatewood, Goyle, Grant, Hawk, Henderson, Henry, Hermanson, Hill, Johnson, Kuether, Lane, Loganbill, Long, Luskert, Mah, Maloney, McCray-Miller, Menghini, Navinsky, Neighbor, Palmer, Pauls, Phelps, Pottorff, Rardin, Ruiz, Slatery, Svaty, Swenson, Talia, Tietze, Trimmer, Ward, Wetta, Williams, Winn.

Nays: Aurand, Bowers, Brookens, A. Brown, Brunk, Burgess, Carlson, Colloton, Craft, Crum, DeGraaf, Donohoe, Faber, Fund, George, Goico, Gordon, Grange, Hayzlett, Hieneman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Kelley, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Landwehr, Light, Mast, McLeland, Merrick, Morrison, Moxley, Myers, O'Brien, O'Neal, Olson, Otto, Patton, Peck, Powell, Prescott, Proehl, Quigley, Rhoades, Roth, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Spalding, Swanson, Tafanelli, Vickrey, Watkins, Whitham, B. Wolf, K. Wolf, Worley, Yoder.

Present but not voting: None.

Absent or not voting: Bethell, Neufeld, Peterson, Sawyer, Shultz, Sloan.

The motion of Rep. Trimmer did not prevail.

Also, on motion of Rep. Huntington, **Sub. HB 2320** be amended on page 1, in line 26, by striking "On" where it first appears and inserting, "Except as otherwise provided in this subsection, on"; in line 32, after "estimate" by inserting "and excluding all moneys in the ending balance credited to the state general fund in compliance with K.S.A. 2008 Supp. 75-6702, and amendments thereto"; in line 39, by striking "Upon" and inserting "Except as otherwise provided in this subsection, upon"; in line 42, following the period by inserting "If an amount of moneys is certified to the director of accounts and reports under this

subsection, the amount certified shall not include any amount constituting all or part of the amount credited to the state general fund as the ending balance on the preceding June 30 in compliance with K.S.A. 2008 Supp. 75-6702, and amendments thereto, and no moneys shall be transferred from the state general fund to the budget stabilization reserve fund under this section that would reduce the amount credited to the state general fund in compliance with K.S.A. 2008 Supp. 75-6702, and amendments thereto.”; and **Sub. HB 2320** be passed as amended.

Committee report recommending a substitute bill to **Sub. HB 2029** be adopted; also, on motion of Rep. Mah be amended on page 8, in line 28, after “(f)” by inserting “(1)”; after line 43, by inserting the following:

“(2) This provision shall apply to annexations in Johnson, Sedgwick and Shawnee counties in Kansas.”; and **Sub. HB 2029** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Labor** recommends **SB 29** be amended on page 3, in line 39, by striking “for” and inserting “where such work is part of”; in line 40, after “engineering” by inserting “or architectural”;

On page 9, in line 22, by striking “themselves” and inserting “one’s self”; in line 41, by striking “themselves” and inserting “one’s self”;

On page 10, in line 6, by striking “themselves” and inserting “one’s self”;

On page 11, in line 28 by striking all after “(a)”; by striking all in line 29; in line 30, by striking “works”; also in line 30, before the period by inserting “The locating or laying out of alignments, positions or elevations where such work is part of the construction of engineering or architectural works”;

On page 13, in line 23 after “the”, the third time it appears, by striking “first” and inserting “last”; and the bill be passed as amended.

Committee on **Commerce and Labor** recommends **SB 91** be amended by substituting a new bill to be designated as “HOUSE Substitute for SENATE BILL No. 91,” as follows:

“HOUSE Substitute for SENATE BILL No. 91

By Committee on Commerce and Labor

“AN ACT concerning planning and zoning; dealing with vesting of development rights; amending K.S.A. 12-764 and repealing the existing section.”; and the substitute bill be passed.

(**H. Sub. for SB 91** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2332** be amended on page 6, after line 11 by inserting the following:

“(s) “School property” means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.”;

And by relettering the remaining subsection accordingly;

Also on page 6, in lines 17 and 19 by striking “2009” and inserting “2010”;

On page 8, in line 32, by striking “or” and inserting a comma; in line 33, before the period, by inserting “or on or within 450 feet of any school property”;

On page 10, in line 35, by striking “nondrug”;

On page 11, in lines 17 and 21 by striking “nondrug”;

On page 13, in line 17, by striking “or” and inserting a comma; also in line 17, before the period by inserting “or on or within 450 feet of any school”; in line 19, by striking “nondrug”; in line 21, by striking “or” and inserting a comma; also in line 21, before the period by inserting “or on or within 450 feet of any school”;

On page 15, in lines 39 and 40, by striking “nondrug”; in line 43, by striking “or” and inserting a comma;

On page 16, in line 1, before the period by inserting “or on or within 450 feet of any school property”; in line 13, by striking “nondrug”;

On page 34, in line 17 by striking “and (a)(3),” and inserting “through (a)(4)”;

in line 21, by striking “9” and inserting “8”;

in line 33, before “A conviction” by inserting the following: “A conviction for an intentional violation of K.S.A. 17-12a501 or 17-12a502, and amendments thereto, if the violation resulted in a loss of an amount of:

- (A) \$1,000,000 or more is a severity level 2, nonperson felony.
- (B) At least \$250,000 but less than \$1,000,000 is a severity level 3, nonperson felony.
- (C) At least \$100,000 but less than \$250,000 is a severity level 4, nonperson felony.
- (D) At least \$75,000 but less than \$100,000 is a severity level 5, nonperson felony.
- (E) At least \$50,000 but less than \$75,000 is a severity level 6, nonperson felony.
- (F) At least \$25,000 but less than \$50,000 is a severity level 7, nonperson felony.
- (G) At least \$25,000 but less than \$1,000 is a severity level 8, nonperson felony.

(3)”;

Also on page 34, in line 34, by striking “17-12a401(c),”;

also in line 34, by striking “17-12a402(d),”;

also in line 34, by striking all after “17-12a403(a),”;

in line 35, by striking “12a403(c), 17-12a403(d),” and inserting “or”;

also in line 35, by striking “17-12a404 (e), 17-12a501 or”;

in line 36, by striking “17-12a502.”;

On page 35, in line 6, by striking “At least \$1,000 but less” and inserting “Less”;

by striking in lines 8 through 10;

in line 11, after “of” by inserting a colon and a new paragraph “(A)”;

also in line 11, after “K.S.A.” by inserting “17-12a404(e),”;

in line 12, after “thereto,” by inserting “or an order to cease and desist issued by the administrator pursuant to K.S.A. 17-12a412(c) or 17-12a604(a), and amendments thereto,”;

also in line 12, by striking “8” and inserting “6”;

after line 13, by inserting the following:

“(B) K.S.A. 17-12a401(c) or 17-12a403(c), and amendments thereto, is a severity level 7, nonperson felony.”;

Also on page 35, in line 14, by striking all after “17-12a401(a),”;

in line 15, by striking “12a401(c),”;

also in line 15, by striking “17-12a402(d),”;

also in line 15, by striking “17-12a403(c), 17-”;

in line 16, by striking “12a403(d),”;

also in line 16, by striking “17-12a404(e),”;

in line 17, by striking “\$100,000” and inserting “\$25,000”;

On page 44, in line 36, before “domestic” by inserting “behavior modification treatment program for”;

also in line 36, by striking “prevention program”;

On page 45, in line 6, after the period by inserting “Such probation or parole shall be supervised by court services.”;

in line 8, before “treatment” by inserting “behavior modification”;

in line 9, by striking “prevention”;

in line 13, by striking “and”;

in line 15, by striking “fined not less than \$1,000 nor more than \$7,500”;

in line 21, after “time” by inserting “and is sentenced to probation”;

also in line 21, after “to” by inserting “serve”;

in line 22, before the period, by inserting “as a condition of probation”;

also in line 22, by striking all after the period;

by striking all in lines 23 and 24;

in line 25, after “time” by inserting “and is sentenced to probation”;

also in line 25, after “to” by inserting “serve”;

in line 26, before the period, by inserting “as a condition of probation”;

also in line 26, by striking all after the period;

by striking all in lines 27 and 28;

in line 29, after “time” by inserting “and is sentenced to probation”;

also in line 29, after “to” by inserting “serve”;

in line 30, before the period, by inserting “as a condition of probation”;

also in line 30, by striking all after the period;

by striking all in lines 31 and 32 and inserting the following:

“(B) If the offender is sentenced to probation pursuant to this paragraph, such offender shall be supervised by community correctional services upon release.”;

Also on page 45, in line 35, after “of” by inserting “probation or”;

in line 36, after “a” by inserting “behavior modification”;

in line 37, after “a” by inserting “behavior modification”;

in line 38, by striking all after “serve” and inserting “the underlying prison sentence.”;

On page 46, by striking all in lines 33 through 36;

On page 49, by striking all in lines 21 through 42;

And by renumbering the remaining sections accordingly;

On page 53, by striking all in lines 29 through 43;

On page 54, by striking all in lines 1 through 5;

And by renumbering the remaining sections accordingly;

On page 55, in line 17, by striking all after "is"; by striking all in line 18; in line 19, by striking all before "to" and inserting "distributing, possessing with the intent to distribute, manufacturing or attempting";

On page 92, in line 9, by striking "21-4705" and inserting "21-4704"; in line 15, by striking all after "(o)"; by striking all in line 16 and inserting "If an offender, who is convicted of a class A misdemeanor, is placed";

On page 108, in line 6, by striking "20 days"; in line 12, by striking "5-"; in line 13, by striking "H, 5-I or 6-G" and inserting "6-E, 6-F, 6-G, 6-H, 6-I, 7-C, 7-D, 7-E, 7-F, 8-C, 8-D, 8-E, 8-F, 9-C, 9-D or 9-E,";

On page 109, in line 4, after "(b)(3)" by inserting "(A)(i)";

On page 112, in line 18, by striking "levels" and inserting "level's";

On page 170, in lines 8 and 25, by striking "levels" and inserting "level's";

On page 213, in line 14, by striking "dispensing, selling or delivering" and inserting "or possessing with the intent to distribute"; in line 15, by striking "or holding or offering for sale,";

On page 228, in lines 22 and 25, by striking "sections" and inserting "section's";

On page 231, in line 20, after "classified" by inserting "nonperson";

On page 234, in line 26, by striking "12-4104,"; in line 29, by striking "21-3447,"; in line 38, after "60-427," by inserting "65-6a40,"; in line 39, by striking "65-6a40,"; in line 40, by striking "72-1397,"; in line 41, after "9-2203," by inserting "12-4104"; also in line 41, by striking "21-3419a,"; also in line 41, after "21-4619," by inserting "21-4619d,"; in line 43, after "39-717," by inserting "40-247,";

On page 235, in line 1, by striking "40-247"; in line 4, after "65-7006," by inserting "72-1397,"; in line 5, after "75-7c04," by inserting "75-5291,"; also in line 5, by striking "75-5291,";

On page 1, in the title, in line 13, by striking "21-3447,"; in line 21, after "60-427," by inserting "65-6a40,"; in line 23, by striking "21-3419a,"; in line 32, after "Supp." by inserting "21-4619d,"; and the bill be passed as amended.

Committee on **Education** recommends **SB 162** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL No. 162," as follows:

"HOUSE Substitute for SENATE BILL No. 162

By Committee on Education

"AN ACT concerning school districts; relating to disability history and awareness."; and the substitute bill be passed.

(**H. Sub. for SB 162** was thereupon introduced and read by title.)

Committee on **Higher Education** recommends **SB 11** be amended on page 5, in line 9, by striking all after "college"; in line 10, by striking all before the period; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 137** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2325**, **HB 2353** be passed.

Committee on **Taxation** recommends **HB 2324** be amended on page 2, in line 10, by striking "prior to July 1, 2010,"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 122**, **SB 123** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Vision 2020** recommends **HCR 5012**, **HCR 5013** be adopted.

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Rep. Knox as a member of the conference committee on **S. Sub. for Sub. HB 2014** to replace Rep. Moxley.

READING AND CORRECTION OF THE JOURNAL

In the Journal, on page 267, under Reference of Bills and Concurrent Resolutions, all the bill numbers and committee names should be deleted and the following should be inserted:

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Appropriations: **HB 2369, HB 2370, HB 2372, HB 2373.**

Commerce and Labor: **HB 2374.**

Taxation: **HB 2371, HB 2375.**

On motion of Rep. Merrick, the House adjourned until 10:30 a.m., Thursday, March 12, 2009.

SUSAN W. KANNARR, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

