

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 4, 2009, 10:00 a.m.

The House met pursuant to recess with Speaker O'Neal in the chair.
The roll was called with 121 members present.
Reps. Aurand, George, Kelley and Peterson were excused on excused absence by the Speaker.
Rep. Hawk was excused later in the day on excused absence by the Speaker.
Prayer by guest chaplain, the Rev. Steve L. Vaughn, Senior Pastor, Fairlawn Nazarene Church, Topeka:

Gracious Father of heaven and earth grant us another day to live. In this day give patience to proceed, the guidance to go and wisdom to wait. May you bless these your servants, to honor you with more than their words but with their actions and duties to govern this moment in time.

Help us to realize that without a sense of urgency, desire loses its value. May the presence of your spirit engulf this place with your power and might to oversee another day, another breath and another heartbeat.

I especially pray for those serving our state, county and local cities as police personnel, firefighters and emergency personnel. Be with them in their duties and heroic actions as they continue to protect and serve.

May you follow this day, bless this great country we call the home of the free and the brave.

In Christ's name I ask. Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **Sub. SB 311.**

Committee of the Whole: **SB 336.**

Taxation: **HB 2404, HB 2405, HB 2406, HB 2407.**

On motion of Rep. Merrick, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S. Sub. for HB 2032; HB 2060; S. Sub. for HB 2099; HB 2195.**

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Merrick, the House acceded to the request of the Senate for a conference on **HB 2060**.

Speaker O'Neal thereupon appointed Reps. Colloton, Patton and McCray-Miller as third conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Powell, the House concurred in Senate amendments to **S. Sub. for HB 2032**, An act enacting the Kansas surface owner notice act; relating to oil and gas operations; state corporation commission; amending K.S.A. 55-155, 55-173 and K.S.A. 2008 Supp. 55-151 and repealing the existing sections.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Benlon, 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, Gordon, Goyle, Grange, Grant, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, 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: Aurand, Bethell, George, Goico, Hawk, Kelley, McLeland, Peterson.

On motion of Rep. Kinzer, the House concurred in Senate amendments to **S. Sub. for HB 2099**, An act concerning open records; amending K.S.A. 2008 Supp. 45-221, as amended by section 27 of 2009 House Bill No. 2052 and repealing the existing section; also repealing K.S.A. 2008 Supp. 45-221, as amended by section 2 of 2009 Senate Bill No. 87.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Benlon, 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, Gordon, Goyle, Grange, Grant, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Horst, Huebert, Huntington, Jack, Johnson, Kerschen, Kiegerl, King, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Light, Loganbill, Long, Lukert, Mah, Maloney, Mast, McCray-Miller, Menghini, Merrick, Morrison, Moxley, Myers, Navinsky, Neighbor, Neufeld, O'Brien, O'Neal, Olson, Otto, Palmer, Patton, Pauls, Peck, Phelps, Pottorff, Powell, Prescott, Proehl, Quigley, Rardin, Rhoades, Roth, Ruiz, Sawyer, 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: Aurand, Bethell, George, Goico, Hawk, Kelley, McLeland, Peterson.

On motion of Rep. Morrison, the House nonconcurred in Senate amendments to **HB 2195** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Morrison, Kinzer and Pauls as conferees on the part of the House.

REPORT ON ENROLLED RESOLUTIONS

HCR 5023 reported correctly enrolled and properly signed on May 4, 2009.

On motion of Rep. Merrick, the House adjourned until 10:00 a.m., Tuesday, May 5, 2009.